

WEDNESDAY, MAY 19, 1993

FORTY-EIGHTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Stan Smith, Henderson First Baptist Church, Henderson, Tennessee.

Representative Walley led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Huskey; personal business.

Representative Jackson; illness.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

MESSAGE FROM THE SENATE
May 18, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1390; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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Senate Bill No. 1390 -- County Government -- Permits Robertson County to provide for public prayers. Amends TCA 49-6-1004. by *Wright, *Patten, *Wilder, *Crowe, *Cooper, *Holcomb.

SIGNED

May 18, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 120, 180, 216, 246, 286, 341, 342, 404, 635, 661, 667, 697, 702, 722, 739, 746, 859, 907, 1057, 1087, 1088, 1165, 1276, 1419, 1562 and 1659; also, Senate Joint Resolution(s) No(s). 67, 157, 208, 210, 211, 212, 214, 215, 216, 217, 218, 219, 220, 221, 223 and 224.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 41; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 19, 1993

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1076, 1646, 1661, 1667 and 1668; also, House Joint Resolution(s) No(s). 70, 144, 146, 191, 261, 262, 263, 264, 299, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332 and 333.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1666, 1672, 1674, 1675, 1676, 1679 and 1680; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 312, 336, 337, 338 and 339; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 616.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill No. 1143.

The Senate refused to recede from its action in adopting Amendment No. 2. The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 3, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Joint Resolution No. 144.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Joint Resolution No. 145.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

May 19, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Wednesday, May 19, 1993: House Bill(s) No(s). 1422, 91, 613 and 1665; House Joint Resolution(s) No(s). 61; Senate Bill(s) No(s). 749; also, House Bill(s) No(s).

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1360, 1468, 803, 903, 902 and 130.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, May 19, 1993: House Bill(s) No(s). 1681 and 1664; House Joint Resolution(s) No(s). 260, 311 and 334.

We further report that the following was/were considered but failed to pass: House Bill No. 794.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 0340 -- Naming and Designating -- Affordable Housing THDA Week, June 27 - July 3, 1993. by *Bragg.

Calendar and Rules Committee.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, May 19, 1993:

House Resolution No. 0095 -- Memorials, Public Service -- Billy and Jeff Arnold. by *Williams Micheal.

House Resolution No. 0096 -- Memorials, Public Service -- Darrell Hensley. by *Williams Micheal.

House Resolution No. 0097 -- Memorials, Interns -- Shelby Marie McMillan. by *Westmoreland, *Venable, *Callicott.

House Resolution No. 0098 -- Memorials, Interns -- Kristina Ryan. by *Williams K.

House Resolution No. 0099 -- Memorials, Interns -- Lucian Geise. by *Turner L, *Clark, *West.

House Resolution No. 0100 -- Memorials, Interns -- Joseph Liddle Kirk. by *Clark, *West, *Turner L.

House Resolution No. 0101 -- Memorials, Recognition and Thanks -- Kirkpatrick Elementary School Role Model Program. by *Purcell.

House Resolution No. 0102 -- Memorials, Recognition and Thanks -- Alfred Z. Kelley. by *DeBerry.

House Resolution No. 0103 -- Memorials, Professional Achievement -- Larry Vanover, National League Umpire. by *Shirley.

as noted

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House Joint Resolution No. 0347 -- Memorials, Public Service -- Elizabeth Corlew Daniel, lifetime of service to Democratic Party. by *Williams Mike.

House Joint Resolution No. 0348 -- Memorials, Recognition and Thanks -- Whiteville Elementary School, Blue Ribbon Schools of Excellence Award. by *Crain.

House Joint Resolution No. 0349 -- Memorials, Congratulations -- Ripley High School Show Choir. by *Crain.

House Joint Resolution No. 0350 -- Memorials, Personal Achievement -- Monica Leigh Lovell, 1993, valedictorian at Mt. Juliet Christian Academy. by *Bell, *Mires.

House Joint Resolution No. 0351 -- Memorials, Death -- Jim Ed Clary. by *Purcell, *Robinson.

House Joint Resolution No. 0352 -- Memorials, Recognition and Thanks -- Cheiguer Sidi EL MOCTAR, Mauritania journalist. by *DeBerry, *Turner L, *Jones R.

House Joint Resolution No. 0353 -- Memorials, Interns -- Cedrick Gray. by *DeBerry.

**MESSAGE FROM THE SENATE
May 19, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 236, 237, 238, 239, 240, 241, 242 and 243; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0236 -- Memorials, Interns -- Shawn Gregory Demers, Page. by *Patten, *Cooper.

Senate Joint Resolution No. 0237 -- Memorials, Death -- Dr. B. F. Jones, History Chairperson at Tennessee Tech. by *Burks.

Senate Joint Resolution No. 0238 -- Memorials, Public Service -- Gladys Stringfield Owen of Cookeville. by *Burks.

Senate Joint Resolution No. 0239 -- Memorials, Sports -- Coach Lewis Morris and Horace Maynard High School boys' basketball team. by *Wallace.

Senate Joint Resolution No. 0240 -- Memorials, Public Service -- Students, faculty and alumni of David Crockett High School, Jonesborough, memorial. by *Crowe.

Senate Joint Resolution No. 0241 -- Memorials, Interns -- Kimberly Denise Blackwell. by *Holcomb.

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Senate Joint Resolution No. 0242 -- Memorials, Retirement -- John B. Waters. by *Greer, *Koella.

Senate Joint Resolution No. 0243 -- Memorials, Interns -- Tracie L. Chandler. by *Kyle, *Cohen, *Cooper.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Wednesday, May 19, 1993:

Senate Joint Resolution No. 0236 -- Memorials, Interns -- Shawn Gregory Demers, Page.

Senate Joint Resolution No. 0237 -- Memorials, Death -- Dr. B. F. Jones, History Chairperson at Tennessee Tech.

Senate Joint Resolution No. 0238 -- Memorials, Public Service -- Gladys Stringfield Owen of Cookeville.

Senate Joint Resolution No. 0239 -- Memorials, Sports -- Coach Lewis Morris and Horace Maynard High School boys' basketball team.

Senate Joint Resolution No. 0240 -- Memorials, Public Service -- Students, faculty and alumni of David Crockett High School, Jonesborough, memorial.

Senate Joint Resolution No. 0241 -- Memorials, Interns -- Kimberly Denise Blackwell.

Senate Joint Resolution No. 0242 -- Memorials, Retirement -- John B. Waters.

Senate Joint Resolution No. 0243 -- Memorials, Interns -- Tracie L. Chandler.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

*Senate Joint Resolution No. 0125 -- General Assembly, Studies -- Creates special joint committee to study practice of clearcutting on state forests and state wildlife management areas.

Calendar and Rules Committee.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

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***House Bill No. 1685 -- Sumner County -- Held on Clerk's desk pending approval by local delegation.**

REPORTS OF SELECT COMMITTEES

The Clerk announced that the Study Committee on the Structure of the House, continued by House Resolution No. 58 of the 97th General Assembly, has completed its work and submitted its report, which is on file in the Clerk's office.

REGULAR CALENDAR

House Bill No. 0698 -- Fire Prevention and Investigation -- Transfers arson investigators from department of commerce and insurance to TBI; establishes arson investigation division. Amends TCA, Title 38, Ch. 6; Title 68, Ch. 102.

Rep. Purcell moved that House Bill No. 698 be reset to the Calendar after the first calendar of February 1994, which motion prevailed.

CONSENT CALENDAR

House Bill No. 1684 -- Copperhill -- Enacts new charter. Amends Chapter 93, Private Acts of 1913, as amended.

On motion, House Bill No. 1684 was made to conform with Senate Bill No. 1647; the Senate Bill was substituted for the House Bill.

House Resolution No. 0082 -- Memorials, Heroism -- Grainger County Veterans.

House Resolution No. 0083 -- Memorials, Professional Achievement -- Miss Elsie Burrell, NEA's Award of Great Leadership in Human Rights.

House Resolution No. 0084 -- Memorials, Professional Achievement -- Gary Hensley, City Manager of Maryville, Public Administrator of the Year.

House Resolution No. 0085 -- Memorials, Death -- Grace Shipley Haws.

House Resolution No. 0086 -- Memorials, Death -- LaRoy Shannon Nabors.

House Resolution No. 0087 -- Memorials, Academic Achievement -- Hollow Rock-Bruceton Central High School Valedictorian and Salutatorian.

House Resolution No. 0088 -- Memorials, Academic Achievement -- West Carroll High School Valedictorian and Salutatorian.

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House Resolution No. 0089 -- Memorials, Academic Achievement -- McKenzie High School Valedictorian and Salutatorian.

House Resolution No. 0090 -- Memorials, Academic Achievement -- Huntington High School Valedictorian and Salutatorian.

House Resolution No. 0091 -- Memorials, Academic Achievement -- Clarksburg High School Valedictorian and Salutatorian.

House Resolution No. 0092 -- Memorials, Interns -- Erea Lynette Stone.

House Resolution No. 0093 -- Memorials, Recognition and Thanks -- New Age of Relationship Marketing and Advertising Conference.

House Resolution No. 0094 -- Memorials, Recognition and Thanks -- Carolyn Robinson, educator.

House Joint Resolution No. 0341 -- Memorials, Sports -- Travis Chappel, Volunteer High School football player.

House Joint Resolution No. 0342 -- Memorials, Public Service -- Jennie Anderson Gant, Williamson County Democratic Party.

House Joint Resolution No. 0343 -- Memorials, Professional Achievement -- Lionel Lowe, Jr., "Firefighter of the Month".

House Joint Resolution No. 0344 -- Memorials, Retirement -- Charles G. Seivers.

House Joint Resolution No. 0345 -- Memorials, Recognition and Thanks -- Celebrate Nursing, Inc.

House Joint Resolution No. 0346 -- Memorials, Public Service -- Garth Brooks.

Senate Joint Resolution No. 0228 -- Memorials, Interns -- Victoria Rae Mallard.

Senate Joint Resolution No. 0229 -- Memorials, Recognition and Thanks -- Rebecca Ann "Becky" Fragasse.

Senate Joint Resolution No. 0230 -- Memorials, Retirement -- Mary Brock Duffy.

Senate Joint Resolution No. 0231 -- Memorials, Retirement -- Bob Dudley Smith.

Senate Joint Resolution No. 0232 -- Memorials, Death -- Dr. George A. Byrd.

Senate Joint Resolution No. 0233 -- Memorials, Death -- Barbara Silvers of Johnson City.

Senate Joint Resolution No. 0234 -- Memorials, Interns -- Jennifer Marie Regis-Civetta.

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Senate Joint Resolution No. 0235 -- Memorials, Retirement -- Marie Tinnon.

*House Bill No. 1664 -- Racing -- Authorizes regulation of licensure of automobile race tracks by county commission in Lawrence County. Amends TCA, Title 55, Ch. 22.

*House Joint Resolution No. 0260 -- Highway Signs -- William "Bill" Smith Bridge, East Fork Stones River, U.S. 70, Cannon County.

*House Joint Resolution No. 0311 -- Highway Signs -- James R. Brantley Memorial Highway, segment of U.S. 41, Coffee County.

*House Joint Resolution No. 0334 -- Highway Signs -- "Love Bridge", U.S. Highway 321, Greene County.

House Bill No. 1681 -- Taxes, Severance -- Removes exemption of Rutherford County from provisions relative to severance tax on sand, gravel, sandstone, chert and limestone. Amends TCA, Title 67, Ch. 7, Pt. 2.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1664; by Rep. Moore.

Under the rules, House Bill No. 1664 was/were placed at the foot of the Regular Calendar for today.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Ball, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinton, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps,

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Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Knight -- 1.

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Representative(s) Chiles was/were recorded as being present in the Chamber.

MESSAGE CALENDAR

MOTION TO RECONSIDER

Rep. Williams (Shelby) moved to lift from the table the motion to reconsider House Bill No. 1367, which motion prevailed.

House Bill No. 1367 -- Local Government, General -- Revises law concerning local government. Amends TCA, Title 5, Chs. 1, 5; Title 6, Ch. 54; Title 7, Chs. 1, 3; Title 69, Chs. 1, 7.

Rep. Williams (Shelby) moved to reconsider our action in passing House Bill No. 1367, which motion prevailed.

On motion, the House reconsidered its action in concurring in Senate Amendment No. 4.

Rep. Williams (Shelby) moved that the House nonconcur in Senate Amendment(s) No(s). 4 to House Bill No. 1367, which motion prevailed.

MOTION TO RECONSIDER

Rep. Windle moved to lift from the table the motion to reconsider Senate Bill No. 4, which motion prevailed.

*Senate Bill No. 0004 -- Crime, Victims of -- Makes mandatory the rights of victims of crime and of prosecution witnesses set forth in Victims' Bill of Rights Act of 1990.

Rep. Windle moved to reconsider our action in passing Senate Bill No. 4, which motion prevailed. Rep. Windle moved to withdraw Amendment No. 1.

Rep. Windle requested that Senate Bill No. 4 be moved to the heel of the Calendar.

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HOUSE ACTION ON SENATE AMENDMENTS

***House Joint Resolution No. 0020 -- General Assembly, Studies --**
Creates special joint committee to study role of African Americans in development of public policy and planning for inner city development.

Senate Amendment No. 1

Amend House Joint Resolution No. 20 by deleting the second resolving clause and by substituting instead the following:

BE IT FURTHER RESOLVED, That this special joint committee shall be composed of four (4) members of the House of Representatives and four members of the Senate to be appointed by the respective speakers.

Rep. Brooks moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 20, which motion prevailed by the following vote:

Ayes.	90
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Lewis, Liles, Love, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

***House Joint Resolution No. 0044 -- General Assembly, Statement of Intent or Position --** Protests policy of treating non-veterans at veterans administration hospitals and medical centers.

Senate Amendment No. 2

Amend House Joint Resolution No. 44 by deleting the period at the end of the first resolving clause and substituting:

"provided the treatment of qualified immediate family and dependent of veterans, to the extent that they are now being treated, should be continued."

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Rep. West moved that the House concur in Senate Amendment(s) No(s). 2 to House Joint Resolution No. 44, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Dier, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Coffey -- 1.

A motion to reconsider was tabled.

*House Joint Resolution No. 0109 -- General Assembly, Studies -- Creates joint study committee to study alternative funding sources for non-game wildlife programs.

Senate Amendment No. 1

Amend House Joint Resolution No. 109 by deleting in the second resolving clause the language and punctuation "House Conservation and Environment Committee to be appointed by the chair thereof; two (2) members of the Senate Environment, Conservation and Tourism Committee, to be appointed by the chair thereof;" and by substituting instead the language "House Conservation and Environment Committee to be appointed by the speaker of the house; two (2) members of the Senate Environment, Conservation and Tourism Committee, to be appointed by the speaker of the senate;".

Rep. Hillis moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 109, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Arriola,

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Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Pergulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1323 -- Recreational Areas -- Authorizes municipal legislative bodies or committees appointed by such bodies to regulate public recreational property to designate parks not required to post signs warning of penalties for unlawful weapon possession. Amends TCA, Title 39, Ch. 17, Pt. 13.

Senate Amendment No. 1

Amend House Bill No. 1323 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ Tennessee Code Annotated, Section 39-17-1311, is amended by deleting from subsection (d) the language "Class E felony" and substituting instead the language "Class A misdemeanor".

FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ Tennessee Code Annotated, Section 39-17-1311, is further amended by deleting all language following the colon in subsection (c)(1) and substituting instead the following:

MISDEMEANOR. STATE LAW PRESCRIBES A MAXIMUM PENALTY OF ELEVEN MONTHS AND TWENTY-NINE DAYS AND A FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) FOR CARRYING WEAPONS ON OR IN PUBLIC RECREATIONAL PROPERTY.

Senate Amendment No. 3

Amend House Bill No. 1323:

add as a new clause:

delete ICA 39-17-1311(c)(1)&(2)

Rep. Callicott moved that the House nonconcur in Senate Amendment(s) No(s). 1 and 3 to House Bill No. 1323, which motion prevailed.

House Bill No. 0835 -- DUI/DWI Offenses -- Establishes DUI per se offense. Amends TCA, Title 55, Ch. 10.

Senate Amendment No. 2

Amend House Bill No. 835 by deleting from Section 1 subsection (d) and by substituting instead the following:

(d)(1) The offense of driving while impaired for a person age eighteen (18) or over but under age twenty-one (21) is a Class A misdemeanor punishable only by a driver license suspension of one (1) year and by a fine of two hundred fifty dollars (\$250). As additional punishment, the court may impose public service work.

(2) The delinquent act of driving while impaired for a person age sixteen (16) or over but under the age of eighteen (18) is punishable only by a driver license suspension of one (1) year and by a fine of two hundred fifty dollars (\$250). As additional punishment, the court may impose public service work.

Rep. Walley moved the previous question, which motion prevailed.

Rep. Herron moved that the House concur in Senate Amendment(s) No(s). 2 to House Bill No. 835, which motion prevailed by the following vote:

Ayes	81
Noes	9
Present and not voting	3

Representatives voting aye were: Allen, Anderson, Arriola, Belt, Bittle, Boyer, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Herron, Hillis, Johnson, Jones R (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 81.

Representatives voting no were: Armstrong, Brooks, Callicott, DeBerry, Haun, Miller, Thompson, Turner (Hamilton), Turner (Shelby) -- 9.

Representatives present and not voting were: Hargrove, Kernell, Love -- 3.

A motion to reconsider was tabled.

***House Bill No. 1658** -- County Officers -- Authorizes constables in DeKalb County to carry handguns and equip vehicles with blue and red lights and sirens. Amends TCA, Title 8, Ch. 10; Title 39, Ch. 17; Title 55, Ch. 9.

Senate Amendment No. 1

Amend House Bill No. 1658 by deleting the period "." at the end of the amendatory language of Section 2 of the bill as printed and substituting instead the following:

provided each such constable has completed the same eight (8) hour annual firearm training program as is required by Tennessee Code Annotated, Section 39-17-1315(a).

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1658**, which motion prevailed by the following vote:

Ayes.	88
Noes.	0
Present and not voting.	5

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kisber, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Bragg, Coffey, Fowlkes, Joyce, Knight -- 5.

A motion to reconsider was tabled.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

REGULAR CALENDAR

House Bill No. 1682 -- Montgomery County -- Increases wheel tax from \$20.00 to \$30.00. Amends Chapter 283, Private Acts of 1967, as amended.

Further consideration of House Bill No. 1682, previously considered on May 18, 1993, at which time it was reset to the Calendar for May 19, 1993.

Rep. Head moved that House Bill No. 1682 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	73
Noes.	2
Present and not voting.	15

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowkes, Givens, Gunnels, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigby, Rinks, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 73.

Representatives voting no were: Shirley, Stockburger -- 2.

Representatives present and not voting were: Boyer, Brooks, Haley, Halteman Harwell, Joyce, Liles, Owenby, Purcell, Ramsey Ritchie, Stamps, Venable, Walley, West, Westmoreland -- 15.

A motion to reconsider was tabled.

*Senate Joint Resolution No. 0213 -- Memorials, Government Officials -- Urges President Clinton to appoint Gilbert S. Merritt as justice on United States Supreme Court.

Further consideration of Senate Joint Resolution No. 213, previously considered on May 18, 1993, at which time it was reset to the Calendar for May 19, 1993.

Rep. Purcell moved that Senate Joint Resolution No. 213 be concurred in, which motion prevailed by the following vote:

Ayes.	79
Noes.	2
Present and not voting.	9

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark,

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Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Boyer, Chiles -- 2.

Representatives present and not voting were: Allen, Coffey, Haley, Liles, Ramsey, Shirley, Stockburger, Venable, Westmoreland -- 9.

A motion to reconsider was tabled.

*Senate Bill No. 1403 -- Law Enforcement Training Academy -- Prohibits teaching of choke hold maneuvers to candidate at state law enforcement training facilities; creates civil penalty for using such maneuvers. Amends TCA, Title 38, Chs. 3, 8.

Further consideration of Senate Bill No. 1403, previously considered on May 18, 1993, at which time it was substituted for House Bill No. 1316, Amendment No. 1 was withdrawn, a motion was made to adopt Amendment No. 2; and the bill was reset to the Calendar for May 19, 1993.

Rep. Love renewed the motion to adopt Amendment No. 2.

Rep. Purcell requested that Senate Bill No. 1403 be moved to the heel of the Calendar.

House Bill No. 1468 -- Human Services, Dept. of -- Instructs department to conduct AFDC client characteristics studies once every three years prior to any federally regulated review. Amends TCA 71-3-104.

On motion, House Bill No. 1468 was made to conform with Senate Bill No. 432; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 432 be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 2.

Rep. Purcell moved that Senate Bill No. 432 be passed on third

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and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroutas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 0803 -- Taxes, Privilege -- Modifies certain procedures pertaining to collection, enforcement, and allocation of revenues generated by services tax act. Amends TCA, Title 33, Ch. 2; Titles 63, 67; Title 68, Ch. 11; Title 71, Ch. 5.

Rep. Purcell moved that House Bill No. 803 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 803 by deleting Sections 1, 2, 3, and 4 in their entirety and by substituting instead the following:

SECTION 1. Public Chapter 913 of the Acts of 1992 is amended in Section 18 by deleting the first sentence in its entirety and by substituting instead the following:

The provisions of this act, with the exception of Sections 1, 2, 8, 9, 14, 17, and 19, shall terminate on March 31, 1994, unless extended by the General Assembly through subsequent legislation; upon termination, all provisions of the Tennessee Code Annotated amended by those sections terminated under this Section 18, to the extent amended, shall revert back to the language of those provisions as they existed prior to the enactment of this act, the public welfare requiring it. Notwithstanding the immediately

preceding sentence, the provisions of Public Chapter 913 of the Acts of 1992, with the exceptions of Sections 1, 2, 8, 9, 14, 17, and 19 shall terminate on December 31, 1993 if the State of Tennessee receives, by December 30, 1993, a federal Medicaid waiver pursuant to Section 1115(a) of the Federal Social Security Act, as amended [42 U.S.C. Section 1315(a)]; upon termination, all provisions of the Tennessee Code Annotated amended by those sections terminated under this Section 18, to the extent amended, shall revert back to the language of those provisions as they existed prior to the enactment of Public Chapter 913 of the Acts of 1992, the public welfare requiring it.

SECTION 2. Public Chapter 913 of the Acts of 1992 is amended in Section 21 by deleting in the fourth sentence the phrase "other than Sections 1, 2, 14, 17, and 19" and substituting instead the following:

other than Sections 1, 2, 8, 9, 14, 17, and 19

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 4, Part 18, Sections 67-6-205, 67-6-212, 67-6-702, and 71-1-125 are amended by adding to each the following new language at the end of the part, section or subsection as appropriate:

Notwithstanding Section 18 of Public Chapter 913 of the Acts of 1992 or any other provisions of law to the contrary, the services tax established by Public Chapter 913 of the Acts of 1992 and codified in Title 67, Chapter 4, Part 18, Sections 67-6-205, 67-6-212, 67-6-702, and 71-1-125 shall expire on December 31, 1993, provided that the State of Tennessee has received a federal Medicaid waiver pursuant to Section 1115(a) of the Federal Social Security Act as amended [42 U.S.C. Section 1315(a)]. Should the State of Tennessee not receive, by December 30, 1993, a federal Medicaid waiver pursuant to Section 1115(a) of the Federal Social Security Act as amended, the services tax established by Public Chapter 913 of the Acts of 1992 shall expire as provided in Section 18 of Public Chapter 913 of the Acts of 1992. Upon expiration of the services tax established by Public Chapter 913 of the Acts of 1992, all provisions of the Tennessee Code Annotated amended by the sections of Public Chapter 913 of the Acts of 1992 which terminate shall, to the extent amended, revert back to the language of those provisions as they existed prior to the enactment of Public Chapter 913 of the Acts of 1992.

SECTION 4. Tennessee Code Annotated, Section 67-4-1807, is amended by designating the current language as subsection (a) and by adding the following language to be designated as subsection (b):

(b) Should the commissioner of revenue determine that a person or business is in financial distress, the commissioner shall have the authority to grant an extension on the payment of the services tax as required by this part. Such extension shall waive any penalty and interest which would otherwise be required for the period of the extension. Such an extension shall not be for a period extending beyond the close of the state's fiscal year.

SECTION 5. Tennessee Code Annotated, Title 67, Chapter 4, Part 18, is amended by adding an appropriately designated new section as follows:

Section ____.(a) The commissioner of revenue is hereby authorized to promulgate all rules necessary to implement the termination of the services tax established by Public Chapter 913 of the Acts of 1992, including rules to handle the refunding of unused credits pursuant to subsection (b) of this section. Notwithstanding any other provision of law, the commissioner of revenue is authorized to promulgate such rules as public necessity rules pursuant to Section 4-5-209.

(b) Notwithstanding the provisions of Section 67-6-507, the commissioner of revenue shall have the authority to refund unused credits to any dealer who paid taxes imposed by the provisions of Public Chapter 913 of the Acts of 1992 on accounts found to be worthless.

(c) With respect to services which are regularly billed on a monthly basis, the state sales tax and not the services tax imposed by Public Chapter 913 of the Acts of 1992 shall apply to services billed on or after the effective date of the expiration of the services tax regardless of when the services were performed. All other services and amusement services performed prior to the effective date of the expiration of the services tax shall be subject to the services tax and not the state sales tax.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it and Section 4 shall terminate on the date in which the services tax established by Public Chapter 913 of the Acts of 1992 expires.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that House Bill No. 803, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 97
Noes. 0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1277; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 1277 -- Appropriations -- Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1993. by *Henry, *McNally.

REGULAR CALENDAR, CONTINUED

*House Bill No. 0903 -- Appropriations -- Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1993. by *Purcell, *Bragg, *Naifeh, *DeBerry, *Ridgeway, *Hargrove, *Crain, *Ferguson, *Kisber, *Head, *Wix, *Pinion, *Collier, *Fisher, *Haun.

On motion, House Bill No. 903 was made to conform with Senate Bill No. 1277; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 1277 be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 2.

Rep. Bragg moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Brown moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Bragg moved that Senate Bill No. 1277 be passed on third and final consideration.

Rep. Severance moved the previous question, which motion prevailed by the following vote:

Ayes.	77
Noes.	18

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix -- 77.

Representatives voting no were: Brooks, Brown, Callicott, Coffey, Haley, Halteman Harwell, Hassell, Joyce, Liles, Meyer, Ramsey, Shirley, Stamps, Stockburger, Venable, Westmoreland, Williams (Shelby), Wood -- 18.

Rep. Haun moved that Senate Bill No. 1277 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Coffey, Liles, Meyer, Ramsey, Shirley, Stockburger -- 6.

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A motion to reconsider was tabled.

*House Bill No. 0902 -- Bond Issues -- Authorizes \$424,800,000 bond issue to fund state projects.

Rep. Purcell moved that House Bill No. 902 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 902 by deleting Sections 9, 10 and 11 of the bill, as introduced, and by substituting instead new Sections 9, 10 and 11 to read:

SECTION 9. Chapter 960, Public Acts of 1990, is repeated.

Section 1 of Chapter 493, Public Acts of 1991, is amended by reducing the bond authorization from \$243,500,000.00 to 237,200,000.00.

Section 4 of Chapter 493, Public Acts of 1991, is amended by reducing the allocation to the department of finance and administration in Item (1) from \$17,500,000.00 to 11,200,000.00.

SECTION 10. Notwithstanding any other provision of this act to the contrary, the bonds and bond anticipation notes authorized by this act may be designated "college savings bonds" and be issued pursuant to the provisions of the Baccalaureate Education Savings for Tennessee Act, Tennessee Code Annotated, Section 9-9-206, Section 49-3-1203 and Sections 49-7-901 through 907.

SECTION 11. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that House Bill No. 902, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	2

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Shirley, Stockburger -- 2.

A motion to reconsider was tabled.

MOTION TO RECESS

On motion of Rep. Purcell, the House recessed until 2:00 p.m.

ENGROSSED BILLS

May 19, 1993

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1681.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

May 19, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1682; also, House Joint Resolution(s) No(s). 260, 311, 334, 341, 342, 343, 344, 345 and 346.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

May 19, 1993

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 803.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

ENGROSSED BILLS
May 19, 1993

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 902.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

REPORT OF COMMITTEE ON CALENDAR AND RULES
May 19, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Wednesday, May 19, 1993: House Senate Joint Resolution(s) No(s). 125.

They reported that the following failed to be reconsidered: House Bill No. 1152.

REGULAR CALENDAR, CONTINUED

*House Bill No. 1111 -- County Government -- Permits Robertson County to provide for public prayers. Amends TCA 49-6-1004.

Further consideration of House Bill No. 1111, previously considered on May 18, 1993, at which time Amendments Nos. 1, 2 and 3 were adopted and the bill, as amended, was reset to the Calendar for May 19, 1993.

On motion, House Bill No. 1111 was made to conform with Senate Bill No. 1390; the Senate Bill was substituted for the House Bill.

Rep. Davidson moved that Senate Bill No. 1390 be passed on third and final consideration.

Rep. Herron moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Knight moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Davidson moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend Senate Bill No. 1390 by deleting all the language

following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 49-6-1004, is amended by adding the following new subsection:

(c) Notwithstanding the provisions of subsections (a) and (b), non-sectarian and non-proselytizing voluntary benedictions, invocation or prayers, which are initiated and given by a student volunteer or student volunteers may be permitted on public school property during school-related non-compulsory student assemblies, school-related student sporting events, and school-related commencement ceremonies. Such permission shall not be construed to indicate any support, approval or sanction by the state of Tennessee or any governmental personnel or official of the contents of any such benedictions, invocations or prayers or to be the promotion or establishment of any religion, religious belief or sect.

Section 2. If any of the provisions, sentences, clauses, phrases, words or parts of this section are held unconstitutional, void or invalid, the remaining provisions, sentences, clauses, phrases, words or parts thereof shall continue in full force and effect, it being the legislative intent now hereby declared that any of the same would have been passed even if such unconstitutional, void or invalid provision, sentence, clause, phrase, word or part thereof had not been included therein.

Section 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Bragg moved the previous question, which motion prevailed.

On motion, Amendment No. 3 was adopted.

Rep. Davidson moved that Senate Bill No. 1390 be passed on third and final consideration.

Rep. McAfee moved the previous question, which motion prevailed.

Rep. Davidson moved that Senate Bill No. 1390, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	4

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: Brooks, Brown, Jones R (Shelby), Pruitt -- 4.

A motion to reconsider was tabled.

*House Bill No. 0130 -- Highway Signs -- Provides for erection and maintenance of tourist-oriented directional signs on primary and secondary highway systems. Amends TCA, Title 54, Ch. 5.

Rep. Gunnels moved that House Bill No. 130 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1, seconded by Rep. Gunnels, as follows:

Amendment No. 1

Amend House Bill No. 130 by deleting all of the printed bill following the enacting clause.

AND FURTHER AMEND by adding the following before the enacting clause in the printed bill:

WHEREAS, tourism is an important part of Tennessee's economy; and

WHEREAS, Tennessee has many important historical, recreational, agricultural, scientific, religious and educational activities, as well as many national and state parks that depend on tourism; and

WHEREAS, many of these activities are in rural areas; and

WHEREAS, it is the intent of the General Assembly to promote tourism in the rural areas of the state by encouraging development of a tourist-oriented directional sign program to provide directional information to

important state attractions; now, therefore,

AND FURTHER AMEND by adding new sections, as follow,
following the enacting clause:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, is amended by adding Sections 2 through 5 of this act as a new, appropriately designated part.

SECTION 2. (a) There is authorized to be established a system of tourist-oriented directional signs (TODS) within the rights of way of the state primary and secondary highway system (conventional roads). These TODS shall provide business identification and directional information for the traveling public, especially tourists not residing in the immediate area of the business, service, or other activity.

(b) Tourist-oriented directional signing (TODS) shall be available to businesses, services, and other activities that receive a major portion of their revenue from the traveling public, but shall also be available to eligible historical, recreational, agricultural, scientific, religious, and educational activities with individual consideration being given to activities of special interest to the traveling public which are not included in any of the above categories.

(c) Guidelines defining businesses, services, and activities and eligibility rules for participation in the TODS program shall be promulgated by the Tennessee department of transportation as provided for in Tennessee Code Annotated, Title 4, Chapter 5, the Tennessee Uniform Administrative Procedures Act.

(d) All tourist-oriented directional signs (TODS) shall conform to the guidelines promulgated by the department through its normal rule making procedure, and the manual on uniform traffic control devices.

(e) All contracts awarded to private contractors pursuant to Title 54, Chapter 5, shall be awarded on the basis of objective competitive bidding and shall be awarded for the original five (5) years but shall be renewed for a like period upon satisfactory completion of the original five (5) year term no other provision of Tennessee Code Annotated notwithstanding.

(f) The administrative services contractor shall be selected by objective competitive bid after successfully meeting the prequalifications standards set by the department of transportation.

(g) The administrative services contractor shall pay to the department five percent (5%) of its annual

revenues. Such five percent (5%) shall be designated for highway beautification projects.

(h) All tourist-oriented directional signs shall be uniform in structure, style and design, and shall comply with the manual on uniform traffic control devices, as published by the U.S. Department of Transportation, Federal Highway Administration.

SECTION 3. The department shall promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act for the selection, contracting with, and supervision of private contractors to design, maintain and operate the system. If the department is unable to obtain a private contractor after proper advertisement, the department may operate the TODS system, but shall make reasonable efforts periodically to obtain a private contractor.

SECTION 4. All contracts with private contractors shall contain a hold-harmless provision by which the contractor accepts all liability for the costs of erection and removal of all signs covered by the contract with that contractor.

SECTION 5. All tourist-oriented directional signs shall be under the jurisdiction of the Department of Transportation; however, any maintenance or replacement necessary for whatever reason for such sign shall be the sole responsibility of the entity sponsoring such sign.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Gunnels moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 130 by deleting all of the printed bill following the enacting clause and by adding the following new sections:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, is amended by adding Sections 2 through 6 of this act as a new appropriately designated part.

SECTION 2. (a) The department of transportation is authorized to conduct a pilot project to allow tourist oriented directional signs (TODS) within the rights of way of state highways. This pilot shall be conducted by the department and shall not be carried out through use of a

private contractor notwithstanding other authority of the department which would authorize the use of such contractor.

(b) TODS shall be available to lawful cultural, historical, recreational, agricultural, educational, or entertaining activities; state and national parks; and commercial activities which are unique and local in nature; and the major portion of whose income or visitors are derived during its normal business season from motorists not residing in the immediate area of the activity.

(c) The pilot project shall be conducted in Loudon, Monroe, Polk, and Bradley.

SECTION 3. The department of transportation shall establish rules and regulations to carry out the pilot project. Such rules and regulations should define eligible users of TODS; provide for the department to charge fees to cover the cost of signing; and address other topics suggested in the Manual on Uniform Traffic Control Devices.

SECTION 4. In all respects, the TODS pilot project shall:

(a) comply with the Manual on Uniform Traffic Control Devices; and

(b) comply with local zoning and local zoning authorities.

SECTION 5. Notwithstanding the provisions of Tennessee Code Annotated, Title 54, Chapter 17, Part 1, no tourist oriented directional signs shall be permitted along roads designated as scenic highways.

SECTION 6. The pilot project shall conclude December 31, 1994; provided, however, all signs erected and approved for erection shall be permitted to remain after December 31, 1994. The department of transportation shall submit a report to the chairman of the Transportation Committees in the Senate and the House of Representatives by February 1, 1995. In the report, the department shall provide information about the pilot project, and shall assess its success.

SECTION 7. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Turner (Hamilton) moved to adopt Amendment No. 3 as follows:

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Amendment No. 3

Amend House Bill No. 130 by deleting subsection (a) of Section 4 of the bill as amended and by substituting instead the following new language:

(a) Comply with the Manual on Uniform Traffic Control Devices; provided, however, notwithstanding the provisions of such manual, there shall be at least a distance of one (1) mile between such tourist oriented directional signs; and

Rep. Gunnels moved that Amendment No. 3 be tabled, which motion prevailed.

Rep. Turner (Hamilton) moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend House Bill No. 130 by adding the following language before the word "and" at the end of subsection (a) of Section 4 of the bill as amended:

() Provided, however, notwithstanding such manual no tourist oriented directional signs shall be erected or placed on highway rights of way.

Rep. Gunnels moved that Amendment No. 4 be tabled, which motion prevailed.

Rep. Turner (Hamilton) moved to adopt Amendment No. 5 as follows:

Amendment No. 5

Amend House Bill No. 130 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Notwithstanding any other provision of this act to the contrary, tourist oriented directional signs erected under the authority of this pilot project must comply with all applicable county and/or municipal ordinances. No rule or regulation promulgated under the authority of this act shall supersede any county or municipal ordinance.

Rep. Gunnels moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes.	56
Noes.	31
Present and not voting.	5

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Representatives voting aye were: Allen, Anderson, Bittle, Boyer, Buck, Byrd, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davis, Duer, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Head, Joyce, Kent, Kernell, Liles, McDaniel, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Pinion, Ramsey, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Winningham, Wix, Wood -- 56.

Representatives voting no were: Arriola, Bragg, Brooks, Brown, Callicott, Chumney, Coffey, Davidson, DeBerry, Dixon, Ferguson, Herron, Hillis, Jones R (Shelby), Jones U (Shelby), Kisber, Knight, Meyer, Miller, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Ritchie, Stulce, Thompson, Turner (Hamilton), Williams (Williamson), Windle, Mr. Speaker Naifeh -- 31.

Representatives present and not voting were: Bell, Love, McAfee, Owenby, Whitson -- 5.

Rep. Anderson moved the previous question, which motion failed by the following vote:

Ayes.	53
Noes.	37
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Buck, Byrd, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davis, Duer, Fisher, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Haun, Head, Kent, Liles, McDaniel, Mires, Odom, Peroulas Draper, Phelan, Pinion, Ramsey, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Winningham, Wix -- 53.

Representatives voting no were: Bragg, Brooks, Brown, Callicott, Coffey, Davidson, DeBerry, Dixon, Ferguson, Fowlkes, Hassell, Herron, Hillis, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, Kisber, Knight, Lewis, Meyer, Miller, Moore, Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Ritchie, Stulce, Thompson, Turner (Hamilton), Williams (Shelby), Williams (Williamson), Windle, Wood -- 37.

Representatives present and not voting were: Love, Owenby -- 2.

Rep. Robinson moved the previous question, which motion prevailed by the following vote:

Ayes.	63
Noes.	24
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Buck, Byrd, Chiles, Chumney,

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Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davis, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Haun, Head, Herron, Kent, Lewis, Liles, Love, McAfee, McDaniel, Mires, Moore, Napier, Odum, Peroulas, Draper, Phelan, Ramsey, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Winningham, Wix -- 63.

Representatives voting no were: Bragg, Brown, Callicott, Coffey, Davidson, DeBerry, Dixon, Hillis, Joyce, Kisber, Meyer, Miller, Owenby, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Stulce, Turner (Hamilton), Williams (Shelby), Williams (Williamson), Windle, Wood -- 24.

Representatives present and not voting were: Kernell, Knight -- 2.

Rep. Gunnels moved that House Bill No. 130, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	73
Noes.	18
Present and not voting.	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Buck, Byrd, Chiles, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Haun, Head, Herron, Hillis, Jones R (Shelby), Joyce, Kent, Kernell, Knight, Liles, Love, McAfee, McKee, Miller, Mires, Moore, Napier, Odum, Peroulas, Draper, Phelan, Pinion, Ramsey, Riggsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 73.

Representatives voting no were: Bragg, Brown, Chumney, Coffey, Johnson, Kisber, Lewis, McDaniel, Meyer, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Stulce, Turner (Hamilton), Williams (Williamson), Mr. Speaker Naifeh -- 18.

Representatives present and not voting were: Brooks, Callicott, Dixon, Hargrove, Jones U (Shelby), Owenby -- 6.

A motion to reconsider was tabled.

House Bill No. 1422 -- Courts, Juvenile -- Establishes minimum qualifications and salary for juvenile court probation officers and youth services officers. Amends TCA, Title 37, Ch. 1, Ptv. 1.

On motion, House Bill No. 1422 was made to conform with Senate Bill No. 1410; the Senate Bill was substituted for the House Bill.

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Rep. Williams (Shelby) moved that Senate Bill No. 1410 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1, seconded by Rep. Williams (Shelby), as follows:

Amendment No. 1

Amend Senate Bill No. 1410 by deleting Sections 1 and 3 and by renumbering the remaining sections accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Arriola moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 1410 by deleting from item (b)(1)(B) of Section 2 of the printed bill and by substituting instead the following:

(B) Possess a high school diploma or GED; and

AND FURTHER AMEND by deleting item (c)(1)(B) of Section 4 of the printed bill and by substituting instead the following:

(B) Possess a high school diploma or GED; and

On motion, Amendment No. 2 was adopted.

Rep. Williams (Shelby) moved that Senate Bill No. 1410, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kieber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

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Representatives present and not voting were: Joyce -- 1.

A motion to reconsider was tabled.

House Bill No. 0613 -- Health -- Includes Carroll and Weakley counties in pilot program to reimburse licensed residential homes for aged. Amends TCA 12-4-320.

On motion, House Bill No. 613 was made to conform with **Senate Bill No. 981**; the Senate Bill was substituted for the House Bill.

Rep. Herron moved that **Senate Bill No. 981** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1360 -- Utilities, Utility Districts -- Prohibits diversion of utility funds of municipality into general fund; imposes penalty; provides for in lieu of tax payments. Amends TCA, Titles 7, 9.

On motion, House Bill No. 1360 was made to conform with **Senate Bill No. 1406**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 1406** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 2.

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On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3.

Rep. Kisber moved that Senate Bill No. 1406 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Goffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

*House Joint Resolution No. 0061 -- General Assembly, Directed Studies -- Establishes interagency work group to study health care prevention services.

Rep. Liles moved that House Joint Resolution No. 61 be adopted.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1, seconded by Rep. Liles, as follows:

Amendment No. 1

Amend House Joint Resolution No. 61 by deleting from the third resolving clause the language "Commission of Children and Youth" wherever it appears, and by substituting instead the language "Department of Health".

On motion, Amendment No. 1 was adopted.

Rep. Liles moved that House Joint Resolution No. 61, as amended, be adopted, which motion prevailed.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 355 out of order, which motion prevailed.

House Joint Resolution No. 0355 -- Memorials, Death -- Dr. Otis Floyd. by *DeBerry, *Rinks, *Naifeh, *Crain, *Head, *Purcell, *Williams Mike, *Ridgeway, *Cross, *Kisber, *Phelan, *Herron, *Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Annala, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Miras, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

*House Bill No. 1664 -- Racing -- Authorizes regulation of licensure of automobile race tracks by county commission in Lawrence County. Amends TCA, Title 55, Ch. 22.

Further consideration of House Bill No. 1664, previously considered on May 18, 1993, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for May, 19, 1993.

Rep. Moore moved that House Bill No. 1664 be passed on third and final consideration.

Rep. Moore moved to adopt Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1664 by adding the following new subdivision (3) to subsection () of the amendatory language of Section 1:

(3) The provisions of this act shall not apply to any permanent automobile race track or other place for the holding of such races that has been in operation for at least two (2) years prior to the effective date of this act.

On motion, Amendment No. 1 was adopted.

Rep. Moore moved that House Bill No. 1664, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Peroulas, Draper, Phelan, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Joyce, Owenby -- 2.

A motion to reconsider was tabled.

MESSAGE CALENDAR, CONTINUED

MOTION TO RECONSIDER

Rep. Kent moved to lift from the table the motion to reconsider Senate Bill No. 1112, which motion prevailed.

*Senate Bill No. 1112 -- Corporations -- Clarifies that actions under TCA 68-211-104 are unlawful. Amends TCA, Title 68, Ch. 211.

Rep. Kent moved to reconsider action in passing Senate Bill No. 1112, which motion prevailed.

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On motion, the House reconsidered its action in adopting Amendment No. 2. On motion, Amendment No. 2 was withdrawn.

Rep. Kent moved that Senate Bill No. 1112, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Resolution No. 0080 -- Memorials, Sports -- Horace Maynard High School men's basketball team.

Further consideration of House Resolution No. 80, previously considered on May 18, 1993, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for May 19, 1993.

Rep. Williams (Union) moved that House Resolution No. 80 be adopted.

Rep. Phelan moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Williams (Union) moved that House Resolution No. 80 be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson,

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Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Herron -- 1.

A motion to reconsider was tabled.

*Senate Bill No. 0685 -- County Government -- Limits County Financial Management Act of 1981; authorizes appropriations for court ordered expenses. Amends TCA, Title 5, Ch. 21.

Further consideration of Senate Bill No. 685, previously considered on today's Calendar.

Rep. Herron moved that Senate Bill No. 685 be passed on third and final consideration.

Rep. Windle moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Herron moved that Senate Bill No. 685 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Brooks, Chumney,

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Owenby -- 3.

A motion to reconsider was tabled.

*Senate Joint Resolution No. 0125 -- General Assembly, Studies -- Creates special joint committee to study practice of clearcutting on state forests and state wildlife management areas.

Rep. Hillis moved that Senate Joint Resolution No. 125 be concurred in, which motion prevailed.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 280; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 0280 -- Administrative Procedure -- Continues certain permanent agency rules pursuant to UAPA beyond expiration date of June 30, 1993. by *Haynes.

REGULAR CALENDAR, CONTINUED

House Bill No. 0726 -- Administrative Procedure -- Continues certain permanent agency rules pursuant to UAPA beyond expiration date of June 30, 1993.

On motion, House Bill No. 726 was made to conform with Senate Bill No. 280; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 280 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 2.

Rep. Kernell moved that Senate Bill No. 280 be passed on third and final consideration.

Rep. McAfee moved the previous question, which motion prevailed.

Rep. moved that Senate Bill No. 280 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 95
Noes. 0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisher, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

*Senate Bill No. 0004 -- Crime, Victims of -- Makes mandatory the rights of victims of crime and of prosecution witnesses set forth in Victims' Bill of Rights Act of 1990.

Previously considered on today's Calendar at which time a motion was made to withdraw Amendment No. 1.

Rep. Windle moved to withdraw the motion to withdraw Amendment No. 1, which motion prevailed.

Rep. Windle moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1 to Senate Bill No. 4, which motion prevailed.

REGULAR CALENDAR, CONTINUED

Senate Joint Resolution No. 0167 -- Memorials, Congress -- Requests route of Interstate 69 extension pass through underdeveloped area of West Tennessee.

Further consideration of Senate Joint Resolution No. 167, previously considered on May 18, 1993, at which time it was objected to on the Consent Calendar and Reset to the Calendar for May 19, 1993.

Rep. Herron moved that Senate Joint Resolution No. 167 be concurred in.

Rep. Kisber requested that Senate Joint Resolution 167 be moved to the heel of the Calendar.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

***Senate Joint Resolution No. 0144** -- General Assembly, Studies -- Creates special joint subcommittee of house and senate education committees to study effects on higher education of K-12 education reform.

Rep Davidson moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Joint Resolution No. 144, which motion prevailed.

***Senate Joint Resolution No. 0145** -- General Assembly, Studies -- Creates special joint subcommittee of education committees to study higher education budgeting and planning process.

Rep Davidson moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Joint Resolution No. 145, which motion prevailed.

Senate Bill No. 0616 -- DUI/DWI Offenses -- Revises BAC test fee in Davidson County from \$17.50 to up to \$50; changes fee for making arrests in criminal cases in Davidson County to up to \$50, as determined by county legislative body. Amends TCA, Titles 8, 55.

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 616

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 616 (House Bill No. 23) has met and recommends that the following House amendment be adopted: No. 1.

Senator Thelma Harper	Representative Tim Garrett
Senator Ward Crutchfield	Representative Dick Clark
Senator Randy McNally	Representative Karen Williams

Rep. Garrett moved that the Report of the Conference Committee on Senate Bill No. 616 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Chumney,

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Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Callicott -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1143 -- Taxes, Privilege -- Authorizes employing state or local government to pay professional privilege tax for employees. Amends TCA, Title 67, Ch. 4, Pt. 17.

Senate Amendment No. 2

Amend House Bill No. 1143 by adding the following at the end of the amendatory language in Section 1 of the printed bill:

As used in this section, "municipal and county governments" shall also include quasi-governmental entities such as developmental districts, utility districts, and other agencies performing governmental or proprietary functions on behalf of municipalities and counties, and associations composed of such quasi-government entities.

Senate Amendment No. 3

Amend House Bill No. 1143 by changing the period to a semi-colon at the end of the amendatory language added by House Amendment No. 10, and by adding the following language:

provided, that, the provisions of this act shall only apply in such county.

Rep. West moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to House Bill No. 1143, which motion prevailed by the following vote:

Ayes.	83
Noes.	4
Present and not voting.	9

Representatives voting aye were: Allen, Anderson, Armstrong,

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Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Peroutas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Stamps, Stutce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Arriola, Coffey, Haley, Stockburger -- 4.

Representatives present and not voting were: Duer, Garrett, Lewis, Love, Owenby, Pruitt, Ritchie, Shirley, Winningham -- 9.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
May 19, 1993**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 210; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 19, 1993**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 63; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 19, 1993**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 857; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 19, 1993**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 495; substituted for Senate Bill(s) on same

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subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 708; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 599.

The Senate refused to recede from its action in nonconcurring in House Amendment(s) No(s). 5, 6 and 7.

The Speaker appointed a Conference Committee composed of Senators Rochelle, McKnight and Greer to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 599.

CLYDE W. McCULLOUGH, JR., Chief Clerk

MESSAGE CALENDAR, CONTINUED

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 599**

Pursuant to Rule No. 73, Representative Bragg moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 599, which motion prevailed.

The Speaker appointed Representatives Bell, Bragg and Cross as the House members of the Conference Committee on Senate Bill No. 599.

HOUSE ACTION ON SENATE AMENDMENTS

*House Joint Resolution No. 0063 -- General Assembly, Studies -- Continues Select Joint Committee on Veterans Affairs for two years.

Senate Amendment No. 1

Amend House Joint Resolution No. 63 by deleting the second resolving clause in its entirety and by substituting instead the following:

BE IT FURTHER RESOLVED, That the committee shall consist of seven (7) members of the House of Representatives and five (5) members of the Senate, appointed by the respective speakers.

Rep. Hillis moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 63, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Hillis, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

*House Joint Resolution No. 0210 -- General Assembly, Studies -- Creates special joint committee to study forfeiture laws.

Senate Amendment No. 1

Amend House Joint Resolution No. 210 by deleting the third resolving clause in its entirety and by substituting instead the following:

BE IT FURTHER RESOLVED, That the special joint committee shall be composed of three (3) members of the House of Representatives and three (3) members of the Senate, to be appointed by the respective speakers.

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 210, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott,

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Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

MOTION TO RECESS

On motion of the Speaker, the House recessed for 10 minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Purcell, the roll call was dispensed with.

SPECIAL CONSENT CALENDAR

House Resolution No. 0095 -- Memorials, Public Service -- Billy and Jeff Arnold.

House Resolution No. 0096 -- Memorials, Public Service -- Darrell Hensley.

House Resolution No. 0097 -- Memorials, Interns -- Shelby Marie McMillan.

House Resolution No. 0098 -- Memorials, Interns -- Kristina Ryan.

House Resolution No. 0099 -- Memorials, Interns -- Lucian Geise.

House Resolution No. 0100 -- Memorials, Interns -- Joseph Liddle Kirk.

House Resolution No. 0101 -- Memorials, Recognition and Thanks -- Kirkpatrick Elementary School Role Model Program.

House Resolution No. 0102 -- Memorials, Recognition and Thanks -- Alfred Z. Kelley.

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House Resolution No. 0103 -- Memorials, Sports -- Larry Vanover, National League Umpire.

House Joint Resolution No. 0347 -- Memorials, Public Service -- Elizabeth Corlew Daniel, lifetime of service to Democratic Party.

House Joint Resolution No. 0348 -- Memorials, Recognition and Thanks -- Whiteville Elementary School, Blue Ribbon Schools of Excellence Award.

House Joint Resolution No. 0349 -- Memorials, Congratulations -- Ripley High School Show Choir.

House Joint Resolution No. 0350 -- Memorials, Personal Achievement -- Monica Leigh Lovell, Valedictorian, Mt. Juliet Christian Academy.

House Joint Resolution No. 0351 -- Memorials, Death -- Jim Ed Clary.

House Joint Resolution No. 0352 -- Memorials, Recognition and Thanks -- Cheiguer Sidi EL MOCTAR, Mauritania journalist.

House Joint Resolution No. 0353 -- Memorials, Interns -- Cedrick Gray.

Senate Joint Resolution No. 0236 -- Memorials, Interns -- Shawn Gregory Demers, Page.

Senate Joint Resolution No. 0237 -- Memorials, Death -- Dr. B. F. Jones, History Chairperson at Tennessee Tech.

Senate Joint Resolution No. 0238 -- Memorials, Public Service -- Gladys Stringfield Owen of Cookeville.

Senate Joint Resolution No. 0239 -- Memorials, Sports -- Coach Lewis Morris and Horace Maynard High School boys' basketball team.

Senate Joint Resolution No. 0240 -- Memorials, Public Service -- Students, faculty and alumni of David Crockett High School, Jonesborough, memorial.

Senate Joint Resolution No. 0241 -- Memorials, Interns -- Kimberly Denise Blackwell.

Senate Joint Resolution No. 0242 -- Memorials, Retirement -- John B. Waters.

Senate Joint Resolution No. 0243 -- Memorials, Interns -- Tracie L. Chandler.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Resolutions and House Joint Resolutions be adopted, and all Senate

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Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

SPECIAL CONSENT CALENDAR

House Resolutions and House Joint Resolutions were introduced and placed on the Special Consent Calendar; Senate Joint Resolutions were placed on the Special Consent Calendar as follows:

House Resolution No. 0104 -- Memorials, Interns -- David Brock Barker.

House Resolution No. 0105 -- Memorials, Academic Achievement -- Greenfield Elementary School Science Olympiad team, state champions.

House Resolution No. 0106 -- Memorials, Personal Occasion -- Pleasant Grove Baptist Church, 100th birthday.

House Resolution No. 0107 -- Memorials, Death -- Mrs. Farrar Hardeman Strawbridge.

House Resolution No. 0108 -- Memorials, Interns -- Michael Cardwell.

House Resolution No. 0109 -- Memorials, Interns -- Perry Srygley.

House Joint Resolution No. 0354 -- Memorials, Interns -- Sharon Elizabeth Roberts.

House Resolution No. 0110 -- Memorials, Sports -- Martin Jr. High School boys' basketball team.

House Resolution No. 0111 -- Memorials, Sports -- Martin Junior High School girls' basketball team.

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Pursuant to Rule No. 50, Rep. Phillips moved that all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. 96
Noes. 0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0495 -- Public Contracts -- Specifies vendor's qualifications required in contracts for goods and services with agencies and departments of state government. Amends TCA 12-4-109.

Senate Amendment No. 1

Amend House Bill No. 495 by deleting Sections 1 and 2 of the bill in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-4-109(a)(1), is amended by deleting the subdivision in its entirety and by substituting in lieu thereof the following:

(a)(1)(A) All personal services, with the exception of professional services and consultant services, purchased by the agencies and departments of the executive branch of state government must be procured in the manner prescribed by regulations promulgated by the commissioner of finance and administration in consultation with the commissioners of personnel and general services and with the approval of the attorney general and reporter and the

comptroller of the treasury. Such regulations shall require:

(i) to the greatest practicable extent evaluation and consideration of proposers' qualifications and cost in the awarding of the contracts; and

(ii) that major categories to be considered in the evaluation of the proposals along with the relative weight of each category shall be included in the final solicitation document; the categories shall include, whenever practicable, (1) qualifications, (2) experience, (3) technical approach, and (4) cost.

The evaluation instrument in the solicitation document shall include the breakdown of any points that may be assigned within each major category; such evaluation instrument shall be included in the final solicitation document or as an addendum to the final solicitation document; and

(iii) that proposers be given a reasonable time to consider evaluation factors set forth in the solicitation document before submitting proposals and, further, that no cost proposals may be opened until the evaluation of the non-cost sections of the proposal has been completed; and

(iv) that procedures be implemented for the review, approval, and use of any formulas, models, or criteria that may be included in the solicitation document for the purposes of evaluating cost proposals.

(B)(i) Any actual proposer who claims to be aggrieved in connection with a specific solicitation process authorized under this section may protest to the head of the affected department or agency. The protest shall be submitted in writing within ten (10) days after such claimant knows or should have known of the facts giving rise to the protest.

(ii) The head of the affected department or agency has the authority to resolve the protest. If deemed necessary, the head of the affected department or agency may request a meeting with the protesting party.

(iii) The head of the affected department or agency shall have no longer than sixty (60) days from receipt of a protest to resolve the protest. The

final determination of the head of the affected department or agency shall be given in writing and submitted to the protesting party.

(iv) The protesting party may request that the final determination of the head of the affected department or agency be considered at a meeting of a review committee that is composed of the commissioner of general services, the commissioner of finance and administration, the comptroller of the treasury, or their designees, and the head of the affected department or agency. The request for consideration shall be made in writing to the committee within ten (10) days from the date of the final determination by the head of the affected department or agency.

(v) In the event that the head of the affected department or agency fails to respond to a protest within fifteen (15) days of receipt of a protest or fails to resolve the protest within sixty (60) days, the protesting party may request that the review committee consider the protest at a meeting.

(vi) Prior to the award of a contract, a proposer who has protested may submit to the head of the affected department or agency a written petition for stay of award. Such stay shall become effective upon receipt by the state. The state shall not proceed further with the solicitation process or the award of the contract until the protest has been resolved in accordance with this section, unless the review committee makes a written determination that continuation of the solicitation process or the award of the contract without delay is necessary to protect substantial interests of the state. It shall be the responsibility of the head of the affected department or agency to seek such a determination by the review committee.

(vii) Nothing in this act shall be construed to require a contested case hearing as set forth in Tennessee Code Annotated, Title 4, Chapter 5. The protesting party must exhaust all administrative remedies provided in this section prior to the initiation of any judicial review of the protest.

(viii) Should a protest be received by the state subsequent to a contract being completely executed pursuant to a solicitation process authorized under this section, the Tennessee Claims Commission shall have exclusive jurisdiction to determine all monetary claims against the state including, but not limited to, claims for the negligent deprivation of statutory or constitutional rights.

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SECTION 2. The provisions of this act shall not apply to any solicitation documents, authorized under Tennessee Code Annotated, Section 12-4-109, with an issuance date prior to July 1, 1993.

SECTION 3. Notwithstanding any other provision of law to the contrary, the commissioner of finance and administration is authorized to promulgate all rules necessary to implement the provisions of this act as public necessity rules pursuant to Tennessee Code Annotated, Section 4-5-209.

SECTION 4. This act shall take effect July 1, 1993, the public welfare requiring it.

Senate Amendment No. 2

Amend House Bill No. 495 by adding the following new section immediately before the effective date section and renumbering that section accordingly:

SECTION . . . Nothing in this act shall be construed or have the effect of requiring or increasing the use of or request for proposals (RFP) by any state entity when use of an RFP is not otherwise required.

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 495, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 0857 -- Search & Seizure -- Prohibits law enforcement officers from conducting body cavity searches unless

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done in accordance with search warrant; creates civil cause of action for unlawful searches. Amends TCA, Title 40, Ch. 7, Pt. 1.

Senate Amendment No. 4

Amend House Bill No. 857 by deleting subsection (f) of Section a and replacing it with the following:

(f) A law enforcement officer who conducts or causes to be conducted a body cavity search in violation of this section, and the governmental entity such officer, shall be subject to a civil cause of action as now provided by law.

Rep. Duer moved that the House concur in Senate Amendment(s) No(s). 4 to House Bill No. 857, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phefan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 0708 -- Appropriations -- Appropriates \$95,000 to ECDC office of business enterprise to fund Southern Cooperative Development Fund.

Senate Amendment No. 1

Amend House Bill No. 708 by adding a new Section 2 reading:

"This act shall be subject to the general appropriation act and shall not constitute a separate appropriation."

Rep. R. Jones moved that the House concur in Senate Amendment(s)

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No(s). 1 to House Bill No. 708, which motion prevailed by the following vote:

Ayes.	90
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 1665 -- Morristown -- Revises civil service system. Amends Chapter 370, Private Acts of 1955, as amended.

Further consideration of House Bill No. 1665, previously considered on today's Calendar.

Rep. Johnson moved that House Bill No. 1665 be reset to the first available space to the first Regular Calendar of 1994, which motion prevailed.

*Senate Bill No. 0749 -- Alcoholic Beverages -- Permits sale of imported beer in kegs with capacity between 13 and 14 gallons. Amends TCA 57-6-104.

Further consideration of Senate Bill No. 749, previously considered on March 22, 1993, at which time it was substituted for House Bill No. 788, it failed for lack of a Constitutional majority and was re-referred to the Calendar and Rules Committee. On May 19, 1993, the Calendar and Rules Committee placed it on the Calendar for May 19, 1993.

Rep. Severance moved that Senate Bill No. 749 be passed on third and final consideration.

Rep. Severance requested that Senate Bill No. 749 be moved to the heel of the Calendar.

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*Senate Bill No. 1403 -- Law Enforcement Training Academy -- Prohibits teaching of choke hold maneuvers to candidate at state law enforcement training facilities; creates civil penalty for using such maneuvers. Amends TCA, Title 38, Chs. 3, 8.

Further consideration of Senate Bill No. 1403, previously considered on today's Calendar.

Rep. Brown moved that Senate Bill No. 1403 be passed on third and final consideration.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes	70
Noes	22
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Arriola, Bittle, Boyer, Buck, Byrd, Callicott, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Head, Herron, Hillis, Johnson, Joyce, Kent, Kisber, Lewis, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Pinion, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Turner (Hamilton), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 70.

Representatives voting no were: Armstrong, Bell, Bragg, Brooks, Chumney, DeBerry, Dixon, Haun, Jones R (Shelby), Jones U (Shelby), Kernell, Knight, Liles, Love, Miller, Napier, Phillips, Pruitt, Ritchie, Thompson, Turner (Shelby), West -- 22.

Representatives present and not voting were: Tindell -- 1.

Rep. Westmoreland moved the previous question, which motion prevailed.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 3.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 2 as House Amendment No. 4.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 3 as House Amendment No. 5.

Rep. Brown moved passage of Senate Bill No. 1403 on third and final consideration, which motion failed by the following vote:

Ayes	43
Noes	51

Representatives voting aye were: Armstrong, Arriola, Bell,

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Bragg, Brown, Buck, Callicott, Chumney, Davidson, Davis, DeBerry, Dixon, Fowlkes, Haun, Herron, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Knight, Liles, Love, Miller, Napier, Odom, Owenby, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Thompson, Tindell, Turner (Hamilton), West, Williams (Shelby), Williams (Williamson), Wix, Mr. Speaker Naifeh -- 43.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Brooks, Byrd, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Duer, Fisher, Garrett, Givens, Haley, Halteman, Harwell, Hargrove, Hassell, Head, McElis, Johnson, Joyce, Kent, Lewis, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Peroulas, Draper, Phelan, Pinion, Ramsey, Rigsby, Shirley, Stamps, Stockburger, Stulce, Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Union), Windle, Winningham, Woods -- 51.

Pursuant to Rule No. 63, having received a Constitutional Majority in the negative, the Speaker entertained a motion to reject Senate Bill No. 1403. Seeing none, Senate Bill No. 1403 was re-referred to the Calendar and Rules Committee.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 582; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Bill No. 0582 -- Taxes, Sales -- Increases from \$500 to \$1,000 amount of average monthly liability which triggers commissioner's authority to require advance estimated payments of tax. Amends TCA, Title 67, Ch. 6. by *Ford.

REGULAR CALENDAR, CONTINUED

*House Bill No. 0091 -- Taxes, Sales -- Increases from \$500 to \$1,000 amount of average monthly liability which triggers commissioner's authority to require advance estimated payments of tax. Amends TCA, Title 67, Ch. 6.

On motion, House Bill No. 91 was made to conform with Senate Bill No. 582; the Senate Bill was substituted for the House Bill.

Rep. Dixon moved that Senate Bill No. 582 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1, which motion he then withdrew.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 2.

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Rep. Head moved the previous question, which motion prevailed.

Rep. Dixon moved that Senate Bill No. 582 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	1
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Callicott -- 1.

Representatives present and not voting were: McAfee -- 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1410.

The Senate concurred in House Amendment(s) No(s). 1, and nonconcurred in House Amendment(s) No(s). 2.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill No. 1323.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 1 and 3.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill No. 1367.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 4, withdrew Amendment No. 4, adopted Amendment No. 5, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Joint Resolution No. 17.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REGULAR CALENDAR, CONTINUED

Senate Joint Resolution No. 0167 -- Memorials, Congress -- Requests route of Interstate 69 extension pass through underdeveloped area of West Tennessee.

Further consideration of Senate Joint Resolution No. 167, previously considered on today's Calendar.

Rep. Kisber moved that Senate Joint Resolution No. 167 be concurred in.

Rep. Head moved to table the motion to concur, which motion prevailed.

The Speaker re-referred Senate Joint Resolution No. 167 to the Calendar and Rules Committee.

*Senate Bill No. 0749 -- Alcoholic Beverages -- Permits sale of imported beer in kegs with capacity between 13 and 14 gallons. Amends TCA 57-6-104.

Further consideration of Senate Bill No. 749, previously considered on today's Calendar.

Rep. Purcell requested that Senate Bill No. 749 be moved to the heel of the Calendar.

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MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

*Senate Bill No. 1410 -- Courts, Juvenile -- Establishes minimum qualifications and salary for juvenile court probation officers and youth services officers. Amends TCA, Title 37, Ch. 1, Pt. 1.

Rep. Williams (Shelby) moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 to Senate Bill No. 1410, which motion prevailed.

*Senate Joint Resolution No. 0017 -- General Assembly, Studies -- Creates commission to study adoption laws.

CONFERENCE COMMITTEE REPORT
ON SENATE JOINT RESOLUTION NO. 17

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Joint Resolution No. 17 has met and recommends that the following amendments be deleted: Senate Amendment No. 1 and House Amendment No. 1; and recommends that the following amendment be adopted:

Amend Senate Joint Resolution No. 17 by deleting the second resolving clause in its entirety and by substituting instead the following new resolving clauses:

BE IT FURTHER RESOLVED, That the commission shall consist of the following:

(1) Two members of the Senate, to be appointed by the Speaker of the Senate;

(2) Two members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(3) One member of the bench who regularly presides over adoption matters, to be appointed by the Governor;

(4) One member of the bar who practices regularly in the adoption field, to be appointed by the Governor;

(4) One person who is a representative of a licensed child-placing agency;

(5) One person who is a representative of an adoption advocacy group, to be appointed by the Governor from a list of seven qualified persons nominated specifically for such purpose by the Tennessee Conference on Social Welfare;

(6) One adopted person, to be appointed by the Governor from a list of seven qualified persons nominated specifically for such purpose by the Tennessee Conference on Social Welfare;

(7) One person who gave up a child for adoption, to be appointed by the Governor from a list of seven qualified persons specifically nominated for such purpose by the Tennessee Conference on Social Welfare; and

(8) The Commissioner of the Department of Human Services, or the commissioner's designee.

BE IT FURTHER RESOLVED, That the senior member appointed from the Senate shall convene the commission which shall then elect such officers as it deems necessary.

Senator Henry, Chairman
Senator McKnight
Senator Atchley

Representative DeBerry
Representative Karen Williams
Representative Purcell

Rep. Purcell moved that the Report of the Conference Committee on Senate Joint Resolution No. 17 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Cafficott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1367 -- Local Government, General -- Revises law concerning local government. Amends TCA, Title 5, Chs. 1, 5; Title 6, Ch. 54; Title 7, Chs. 1, 3; Title 69, Chs. 1, 7.

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Senate Amendment No. 5

Amend House Bill No. 1367 by deleting from the language added by Senate Amendment No. 3 the language "may" and by substituting instead the language "shall have the power and are authorized to".

AND FURTHER AMEND by deleting from the language added by Senate Amendment No. 3 the language "in the municipalities" and by substituting instead the language "and development therein".

AND FURTHER AMEND by adding after the language added by Senate Amendment No. 3 "their bonds" the language "or notes".

AND FURTHER AMEND by deleting from the language added by Senate Amendment No. 3 the language "all as set forth in Tennessee Code Annotated, Title 13, Chapter 16, and to exercise all the powers set forth therein as it shall relate to said entertainment facilities" and by substituting instead the language "in accordance with and subject to the requirements of Tennessee Code Annotated, Title 13, Chapter 16, and Title 9, Chapter 21, and to exercise all the powers set forth therein as it relates to such construction and development".

Rep. Williams (Shelby) moved that the House concur in Senate Amendment(s) No(s). 5 to House Bill No. 1367, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1323 -- Recreational Areas -- Authorizes municipal legislative bodies or committees appointed by such bodies

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to regulate public recreational property to designate parks not required to post signs warning of penalties for unlawful weapon possession. Amends TCA, Title 39, Ch. 17, Pt. 13.

Rep. Callicott moved that the House refuse to recede from its action in nonconcurring in Senate Amendment Nos. 1 and 3 to House Bill No. 1323, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 1323

Pursuant to Rule No. 73, Representative Callicott moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1323, which motion prevailed.

The Speaker appointed Representatives Callicott, Buck and Bittle as the House members of the Conference Committee on House Bill No. 1323.

MOTION TO RECALL

Rep. Stamps moved that the rules be suspended for the purpose of recalling House Bill No. 1152 from the Calendar and Rules Committee for immediate consideration, with the request for a roll call vote.

***House Bill No. 1152 -- Obscenity and Pornography -- Creates new offense of public indecency.**

Rep. Moore moved the previous question, which motion failed by the following vote:

Ayes.	54
Noes.	36

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Buck, Byrd, Chumney, Cole (Carter), Collier, Crain, Davidson, Davis, DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Haun, Head, Hillis, Jones U (Shelby), Kent, Kernell, Kisber, Lewis, Love, McKee, Miller, Mires, Moore, Napier, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Whitson, Williams (Williamson), Winningham, Wix, Mr. Speaker Naifeh -- 54.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Brown, Callicott, Clark, Cole (Dyer), Duer, Fisher, Gunnels, Haley, Halteman Harwell, Hassell, Herron, Jones R (Shelby), Joyce, Knight, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Ritchie, Robinson, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Williams (Shelby), Williams (Union), Windle, Wood -- 36.

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CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

MOTION TO RECALL, CONTINUED

Rep. Stamps then withdrew his motion to recall House Bill No. 1152 from the Calendar and Rules Committee.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 175.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 244, 245, 246, 247, 249, 250, 251, 252, 253 and 254; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0244 -- Naming and Designating -- Tennessee Architecture Month, October 1993. by *Crowe.

Senate Joint Resolution No. 0245 -- Memorials, Public Service -- Darrell "Pappy" Crowe and Johnson City Washington County Boys Club. by *Crowe.

Senate Joint Resolution No. 0246 -- Memorials, Academic Achievement -- State Championship U.S. Academic Decathlon team from University School of Johnson City. by *Crowe.

Senate Joint Resolution No. 0247 -- Memorials, Death -- Dr. Otis Floyd. by *Wilder, *Cohen, *Kyle, *Womack, *O'Brien.

Senate Joint Resolution No. 0249 -- Memorials, Death -- Dr. Otis Floyd. by *Harper, *Ford, *Cohen, *Kyle, *Haynes, *Henry, *Womack, *O'Brien.

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Senate Joint Resolution No. 0250 -- Memorials, Public Service -- Northaven Community Association, neighborhood revitalization efforts. by *Kyle.

Senate Joint Resolution No. 0251 -- Memorials, Interns -- James A. Morgan. by *Person, *Leatherwood, *Cohen.

Senate Joint Resolution No. 0252 -- Memorials, Sports -- Ridgeway High School girls' softball team. by *Kyle.

Senate Joint Resolution No. 0253 -- Memorials, Interns -- Lucian Geise. by *Cohen.

Senate Joint Resolution No. 0254 -- Memorials, Interns -- Jay Young. by *Cohen.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 599.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 155.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 121.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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REGULAR CALENDAR, CONTINUED

*Senate Bill No. 0749 -- Alcoholic Beverages -- Permits sale of imported beer in kegs with capacity between 13 and 14 gallons. Amends TCA 57-6-104.

Further consideration of Senate Bill No. 749, previously considered on today's Calendar.

Rep. Severance moved that Senate Bill No. 749 be passed on third and final consideration.

Rep. U. Jones moved to adopt Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 749 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population in exceed of 800,000 according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 749 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall only apply in counties having a population in excess of 500,000, according to the 1990 federal census or any subsequent federal census of.

On motion, Amendment No. 2 was adopted.

Rep. Severance moved to adopt Amendment No. 3, seconded by Rep. Purcell, as follows:

Amendment No. 3

Amend Senate Bill No. 749 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall also

apply in counties having a population of not less than 335,000 nor more than 336,000 according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 3 was adopted.

Rep. DeBerry moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend Senate Bill No. 749 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ The provisions of this act shall not apply in any county having a population in exceed of 800,000 according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 4 was adopted.

Rep. Severance moved that Senate Bill No. 749, as amended, be passed on third and final consideration.

Rep. DeBerry moved the previous question, which motion prevailed.

Senate Bill No. 749, as amended, failed to pass on third and final consideration by the following vote:

Ayes	44
Noes	41
Present and not voting	7

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Boyer, Bragg, Brown, Buck, Chiles, Chumney, Clark, Cole (Carter), Collier, Davis, DeBerry, Dixon, Garrett, Halteman Harwell, Haun, Head, Jones R (Shelby), Kent, Kernell, Love, Meyer, Miller, Napier, Odom, Perdulas Draper, Phelan, Pruitt, Purcell, Rigsby, Robinson, Severance, Thompson, Tindell, Turner (Shelby), Venable, West, Westmoreland, Whitson, Williams (Shelby), Williams (Williamson) -- 44.

Representatives voting no were: Bell, Byrd, Callicott, Coffey, Cole (Dyer), Crain, Cross, Davidson, Duer, Ferguson, Fisher, Givens, Haley, Hassell, Herron, Hillis, Johnson, Jones U (Shelby), Joyce, Kieber, Lewis, McAfee, McKee, Mires, Moore, Phillips, Pinion, Ramsey, Rhinehart, Ridgeway, Ritchie, Shirley, Stockburger, Stulce, Turner (Hamilton), Walley, Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 41.

Representatives present and not voting were: Brooks, Fowlkes, Hargrove, Knight, Liles, Owenby, Wix -- 7.

Pursuant to Rule No. 39, Senate Bill No. 749, having failed to receive a constitutional majority, was re-referred to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on Senate Bill No. 749 and have this statement entered in the Journal: Rep(s). Bittle.

MESSAGE CALENDAR, CONTINUED

*Senate Bill No. 0175 -- Sentencing -- Prohibits parole eligibility review board from reviewing sentence of habitual offender whose triggering offense was violent. Amends TCA, Title 40, Ch. 35, Pt. 6.

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 175

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 175 (House Bill No. 830) has met and recommends:

1) adoption of House amendment #2, except for language referring to House Amendment #1

2) adoption of House amendments #'s 3 and 4

Senator Stephen Cohen
Senator Carl O. Koella
Senator Curtis Person

Representative Roy Herron
Representative Jere L. Hargrove
Representative Page Walley

Rep. Herron moved that the Report of the Conference Committee on Senate Bill No. 175 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

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*Senate Bill No. 0599 -- Election Laws -- Revises election law.
Amends TCA, Title 2, 5-8-102, 49-2-504, 57-4-103.

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 599

The Senate and House Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 599 (House Bill No. 796) has met and recommends:

the following House amendment be adopted: 7;

and recommends that the following House amendments be deleted: 5 and 6.

And Further Amend by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Title 2,
Chapter 9, is amended by adding the following new section:

A county election commission may establish and implement a policy permitting the use of voting machines by a group of citizens. Provided, however, in any county having a metropolitan form of government, the decision to implement the policy is subject to the approval of the local governing body.

Respectfully submitted this 19th day of May 1993.

Senator Robert Rochelle
Senator Joe McKnight
Senator Ronnie Greer

Representative John Bragg
Representative Joe Bell
Representative Jerry Cross

Rep. Bragg moved that the Report of the Conference Committee on Senate Bill No. 599 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West,

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Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

*Senate Bill No. 0155 -- Education -- Restricts use of funds for retirement of principal and interest on school bonds where funds have not been previously apportioned to LEAs. Amends TCA, Title 49, Ch. 3, Pt. 10.

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 155

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 155 (House Bill No. 955) has met and recommends that all the amendments be deleted and all of the language after the enacting clause be deleted and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 3, Part 10, is amended by adding the following as a new section:

(a) The proceeds of bonds, notes and other debt obligations issued by counties under this part for school purposes shall be shared with special school district systems in the county on the same basis provided for the sharing the proceeds of school bonds under the provisions of this part. The trustee of the county shall pay over to the treasurer of the special school district that amount of the funds which shall bear the same ratio to the entire amount arising from the provisions of this part as the average daily attendance of the year ending June 30 next preceding the sale of the bonds, notes or other debt obligations of the special school district bears to the entire average daily attendance of the year ending June 30 next preceding the sale of the bonds, notes or other debt obligation of the county.

(b) The governing body of any special school district may, by resolution regularly adopted, waive its right to all or a part of any funds due to it under the provisions of this part and return the funds to the trustee of the county for the purposes originally provided.

(c)(1) If there exists any special school district within the county which operates independently of such county, the county legislative body, in its discretion, may provide that such bonds, notes or other debt obligations shall be payable from taxes levied only upon that portion of taxable property within the county lying outside the territorial limits of such special school district so independently operated, and taxes sufficient to pay principal and interest on such bonds, notes and other debt

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obligations shall be so levied upon such portion of the taxable property lying outside the territorial limits of such special school district. Provided, however, except as provided in subdivision (2) below, in no event shall funds which have not previously been apportioned to the special school districts within the county be used for the retirement of the principal or interest on such bonds, notes or other debt obligations.

(2) If the bonds, notes or other debt obligations being issued are payable from a tax levied only on that portion of the taxable property within the county lying outside the territorial limits of a special school district which operates independently of the county, then no part of the proceeds of such bonds, notes, or other debt obligations shall be paid over to any such special school district.

(d) This act shall be applicable only in counties of class 3, subclass B, as established by Tennessee Code Annotated, Section 8-24-101.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Respectfully submitted, this the 19th day of May, 1993.

Senator Robert Rochelle
Senator Danny Walker
Senator Randy McNally

Representative John Bragg
Representative I. V. Hillis
Representative Shelby Rhinehart

Rep. Rhinehart moved that the Report of the Conference Committee on Senate Bill No. 155 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	85
Noes.	3

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, Meyer, Miller, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Coffey, Duer, Mires -- 3.

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A motion to reconsider was tabled.

*Senate Bill No. 0121 -- Sunset Laws -- Department of finance and administration, June 30, 2000. Amends TCA, Title 4, Chs. 3, 29.

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 121

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 121 (House Bill No. 340) has met and recommends:

that the following House amendment be adopted: No. 1.

Senator Joe Haynes
Senator Joe Nip McKnight
Senator Pete Springer

Representative Mike Kernell
Representative Jere Hargrove
Representative Gary Johnson

Rep. Kernell moved that the Report of the Conference Committee on Senate Bill No. 121 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillie, Johnson, Jones R. (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

MOTION TO RECESS

On motion of Rep. Purcell, the House recessed for 15 minutes.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 601.

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The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1314; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill No. 1323.

The Speaker appointed a Conference Committee composed of Senators Jordan, Cohen and Henry to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 1323.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1537; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Purcell, the roll call was dispensed with.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1537 -- Criminal Procedure -- Authorizes supreme court, attorney general, district attorneys general and district

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public defenders to employ, reassign or contract with individuals to provide prompt and fair adjudication of post-conviction proceedings in capital sentence cases. Amends TCA, Title 8, Chs. 6, 7, 14; Title 16, Ch. 3.

Senate Amendment No. 1

Amend House Bill No. 1537 by adding the following as a new section and by renumbering the effective date accordingly:

SECTION _____. Implementation of the provisions of this act shall be subject to funding being provided in the general appropriations act.

Senate Amendment No. 2

Amend House Bill No. 1537 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 8-14-202, is amended by adding the following as a new, appropriately designated subsection:

A district public defender may fill a full-time employee position with two (2) part-time employees. In order to implement such assignments, available funds may be reallocated or transferred, subject to overall budgetary limits.

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 1537, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

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BILLS WITHDRAWN

On motion of Rep. Gunnels, House Bill No. 1663 was recalled from the Delayed Bills Committee and withdrawn from the House.

MESSAGE CALENDAR, CONTINUED

*Senate Bill No. 0601 -- Labor -- Revises type of association representing certain education employees which may enter into agreements for payroll deduction without meeting certain criteria. Amends TCA 8-23-204.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 601**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill 601 (House Bill 1071) has met on May 19, 1993 and recommends the following be adopted:

Amend by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-23-204(a) (5), is amended by deleting the subdivision in its entirety and substituting instead the following:

Any professional education association whose active membership consists of at least twenty percent (20%) of the total combined faculty as active members may make an agreement for payroll deduction of dues without compliance with the criteria in subdivision (a) (2) of this section if such association has as a purpose and goal the elevation of the professional status and socio-economic welfare of the members of the teaching profession, or facilitation of cooperation among teachers and research scholars for the promotion of higher education and research. Such agreements shall be applicable to the teachers and faculty on the campuses and institutions of the University of Tennessee and the state university and community college system. Such professional education associations must have existed for more than fifty (50) years and have a total of five (5) or more chapters or affiliates on the campuses and institutions of the University of Tennessee and the state university and community college system.

The provision of this act requiring a professional education organization to maintain at least twenty percent (20%) of the total combined faculty as active members in order to qualify for deduction of dues shall not apply to any professional association which has had and has exercised the

privilege of deduction of dues for at least four (4) years prior to the effective date.

Respectfully submitted,

Sen. Andy Womack

Sen. Pete Springer

Sen. Tom Leatherwood

Rep. Ulysses Jones

Rep. Lois DeBerry

Rep. Harold Love

Rep. U. Jones moved that the Report of the Conference Committee on Senate Bill No. 601 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	80
Noes.	12
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Haun, Head, Hillis, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McKee, Miller, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Wailey, West, Westmoreland, Whitson, Williams (Shelby), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Bittle, Coffey, Hassell, Herron, Joyce, McAfee, McDaniel, Meyer, Shirley, Stockburger, Williams (Union), Wood -- 12.

Representatives present and not voting were: Johnson, Venable -- 2.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1314 -- Education -- Authorizes adjustment of Basic Education Program formula allocations for changes in student enrollment in certain fiscal years; authorizes expenditures for enrollment growth under BEP formula in certain fiscal years. Amends TCA 49-3-354.

Senate Amendment No. 1

House Bill No. 1314 is amended by adding the following as a new section and by renumbering the effective date accordingly:

Section _____. Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act.

Senate Amendment No. 3

Amend House Bill No. 1314 by adding a new section to be appropriately numbered and read as follows:

SECTION _____ Tennessee Code Annotated, Section 49-3-354, is amended by adding the following new subsection as follows:

Funds shall be distributed pursuant to the Basic Education Program. The sole use of the Tennessee Foundation Program shall be, as established by this section, to provide a base level from which to allocate funding. The Basic Education Program Funding Formula shall be fully funded no later than the fiscal year beginning July 1, 1997. Upon such full funding, all funds shall be distributed without respect to Tennessee Foundation Program base established in Section 49-3-354(c), Tennessee Code Annotated.

Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 1 and 3 to House Bill No. 1314, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate

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Joint Resolution(s) No(s). 248; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0248 -- Memorials, Death -- Dr. Otis Floyd. by *Burks, *Wilder, *Albright, *Atchley, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis, *Eisea, *Ford, *Gilbert, *Greer, *Hamilton, *Harper, *Haynes, *Harper, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McKnight, *McNally, *O'Brien, *Patten, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Womack, *Wright.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 248 out of order, which motion prevailed.

Senate Joint Resolution No. 0248 -- Memorials, Death -- Dr. Otis Floyd.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. DeBerry, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 255; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0255 -- Highway Signs -- "James Richardson Tubb Bridge," SR 111, White County. by *Burks, *Eisea.

SPECIAL CONSENT CALENDAR

House Resolutions and House Joint Resolutions were introduced and placed on the Special Consent Calendar; Senate Joint Resolutions were placed on the Special Consent Calendar as follows:

House Resolution No. 0113 -- Memorials, Recognition and Thanks -- Charlie Robinson.

House Resolution No. 0114 -- Memorials, Interns -- Mark Wayne Bell.

House Resolution No. 0115 -- Memorials, Personal Achievement --

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Matthew David Miesner and Dan Cheatham, Eagle Scouts.

House Joint Resolution No. 0356 -- Memorials, Personal Achievement -- Ryan Long, John Peacock and Jody Woodrough, Eagle Scouts.

House Resolution No. 0112 -- Memorials, Sports -- Bernie Webb.

House Resolution No. 0116 -- Memorials, Public Service -- Marcus Duane Smith, Jr., Chattanooga.

Senate Joint Resolution No. 0244 -- Naming and Designating -- Tennessee Architecture Month, October 1993.

Senate Joint Resolution No. 0245 -- Memorials, Public Service -- Darrell "Pappy" Crowe and Johnson City Washington County Boys Club.

Senate Joint Resolution No. 0246 -- Memorials, Academic Achievement -- State Championship U.S. Academic Decathlon team from University School of Johnson City.

Senate Joint Resolution No. 0247 -- Memorials, Death -- Dr. Otis Floyd.

Senate Joint Resolution No. 0249 -- Memorials, Death -- Dr. Otis Floyd.

Senate Joint Resolution No. 0250 -- Memorials, Public Service -- Northaven Community Association, neighborhood revitalization efforts.

Senate Joint Resolution No. 0251 -- Memorials, Interns -- James A. Morgan.

Senate Joint Resolution No. 0252 -- Memorials, Sports -- Ridgeway High School girls' softball team.

Senate Joint Resolution No. 0253 -- Memorials, Interns -- Lucian Geise.

Senate Joint Resolution No. 0254 -- Memorials, Interns -- Jay Young.

Senate Joint Resolution No. 0255 -- Highway Signs -- "James Richardson Tubb Bridge," SR 111, White County.

Pursuant to Rule No. 50, Rep. Purcell moved that all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Petroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on the Special Consent Calendar and have this statement entered in the Journal: Rep(s). Halteman Harwell.

SENATE REPORTED READY TO ADJOURN

Senators Harper and Wright notified the House that the Senate had completed its business and was ready to adjourn.

SELECT COMMITTEE APPOINTMENTS

The Speaker announced that he had appointed the following committee to notify the Senate that the House had completed its business for this session and was ready to adjourn: Representatives Rinks and Williams (Union).

The Speaker announced that he had appointed the following committee to notify the Governor that the House had completed its business and was ready to adjourn: Representatives Bragg, Rhinehart, Wood, McAfee, Love and Duer.

REPORT OF SELECT COMMITTEE

Rep. Rinks reported to the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn.

Rep. Bragg reported to the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn.

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MESSAGE CALENDAR, CONTINUED

House Bill No. 1323 -- Recreational Areas -- Authorizes municipal legislative bodies or committees appointed by such bodies to regulate public recreational property to designate parks not required to post signs warning of penalties for unlawful weapon possession. Amends TCA, Title 39, Ch. 17, Pt. 13.

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1323

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1323 (Senate Bill No. 1476) has met and recommends that:

the following senate amendments be adopted: Senate Amendment No. 1;

and recommends that Senate Amendment No. 2 be deleted.

Senator Douglas Henry
Senator Keith Jordan
Senator Steve Cohen

Representative Clint Callicott
Representative Frank Buck
Representative H. E. Bittle

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. Callicott moved that the Report of the Conference Committee on House Bill No. 1323 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	91
Noes.	2
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Duer, Williams (Shelby) -- 2.

Representatives present and not voting were: Tindell -- 1.

A motion to reconsider was tabled.

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SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 91: Rep(s). Byrd and Kent as prime sponsor(s).

House Bill No. 788: Rep(s). Severance as prime sponsor(s).

House Bill No. 803: Rep(s). Williams (Union) as prime sponsor(s).

House Bill No. 903: Rep(s). Fisher and Haun as prime sponsor(s).

House Bill No. 1111: Rep(s). Anderson, Boyer, Davis, Peroulas Draper, Duer, Haun, Herron, Kent, Knight, McKee, Ramsey, Ritchie, Stulce, Whitson and Windle as prime sponsor(s).

House Bill No. 1360: Rep(s). Head and Davidson as prime sponsor(s).

House Bill No. 1683: Allen, Anderson, Armstrong, Arriola, Bell, Brown, Buck, Byrd, Coffey, Cole (Dyer), Collier, Crain, Cross, Davidson, Duer, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Haun, Hillis, Johnson, Jones, U. (Shelby), Kisber, Knight, Lewis, McDaniel, McKee, Meyer, Miller, Mires, Napier, Owenby, Peroulas Draper, Phillips, Pruitt, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Shirley, Stamps, Stockburger, Stulce, Turner, (Shelby), Westmoreland, Whitson, Williams (Union), Williams (Williamson), Winningham, Wix, Wood.

House Joint Resolution No. 351: Rep(s). West as prime sponsor(s).

REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage/adoption of said bill/resolution:

House Bill No. 91: Rep(s). U. Jones.

House Bill No. 796: Rep(s). Cross.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1399; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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Senate Bill No. 1399 -- Obscenity and Pornography -- Creates new offense of public indecency. Amends TCA 39-13-511. by *Rice, Jordan, Gilbert, Crowe, Leatherwood, Elsea, Patten, Person.

MESSAGE FROM THE GOVERNOR
May 19, 1993

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1213, with his approval.

DAVID H. WELLES, Counsel to the Governor.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 56, 127, 145, 152, 156, 193 and 253; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 15, 283, 1020, 1070, 1254 and 1505; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 290 and 1271; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS
May 19, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 130; also, House Joint Resolution(s) No(s). 61 and 355.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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ENGROSSED BILLS

May 19, 1993

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1664.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 305, 326, 355, 491, 803 and 902; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1128; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

May 19, 1993

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 347, 348, 349, 350, 351, 352, 353 and 354.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

May 19, 1993

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 305.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 19, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 305.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 305; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 19, 1993

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 305.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 130; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 61, 341, 342, 344, 345, 346 and 355; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 362, 792 and 953; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 37, 185, 258 and 260; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

WEDNESDAY, MAY 19, 1993 — FORTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 881, 1407, 1443, 1500, 1532, 1664 and 1681; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 343; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

May 19, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 370 and 764.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Bill No. 1323.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 347, 348, 349, 350, 351, 352, 353 and 354; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

May 19, 1993

The following bill(s) have been examined, engrossed, and are

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

ready for transmission to the Senate: House Joint Resolution(s) No(s). 356.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 131 and 237; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Bill No. 0131 -- County Government -- Revises duties and functions of county public records commissions; mandates that such commissions be created. Amends TCA, Title 10, Ch. 7. by *Henry.

*Senate Bill No. 0237 -- Day Care -- Enacts "Day Care Incentive Act of 1993". Amends TCA, Title 67. by *Holcomb, *Crowe, *Albright, *Atchley, *Burks, *Cohen, *Cooper, *Crutchfield, *Davis, *Elsea, *Ford, *Gilbert, *Greer, *Hamilton, *Harper, *Haynes, *Henry, *Jordan, *Koella, *Kyle, *Leatherwood, *McKnight, *McNally, *O'Brien, *Patten, *Person, *Rice, *Rochelle, *Springer, *Wallace, *Womack, *Wright, *Wilder.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 570, 610 and 1283; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Bill No. 0570 -- Public Defenders -- Authorizes additional assistant public defenders for second, fifth, eleventh, fifteenth and eighteenth judicial districts; allows one additional criminal investigator for fifth, eleventh and fifteenth districts; allows filling full time position with two part time employees. Amends TCA, Title 8, Ch. 14. by *Rochelle, *McKnight.

Senate Bill No. 0610 -- State Government -- Requires TACIR to make annual report on state shared taxes dedicated to fulfill state's obligation to share in cost of expenditures mandated to local governments. Amends TCA, Titles 4, 5. by *Womack.

Senate Bill No. 1283 -- Appropriations -- Authorizes growth in state appropriations which exceed rate of growth of economy for 1993-1994 fiscal year. by *Henry, *McNally.

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JOURNAL APPROVED

Rep. Purcell moved that the Journal of the House of Representatives and the proceedings thereof be approved from the First Organizational Day through the Forty-eighth Legislative Day of the First Regular Session of the Ninety-eighth General Assembly, which motion prevailed.

MESSAGE FROM THE SENATE

May 19, 1993

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn sine die in accordance with House Joint Resolution No. 254, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE GOVERNOR

May 19, 1993

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 262, with his approval.

DAVID H. WELLES, Counsel to the Governor.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kiser, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odum, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

ADJOURNMENT

Thereupon, in accordance with House Joint Resolution No. 254,

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

Mr. Speaker Naifeh declared the First Regular Session of the House of Representatives of the Ninety-eighth General Assembly adjourned until twelve o'clock noon (12:00) on Tuesday, January 11, 1994.

**ARTICLE III, SECTION 18
CONSTITUTION OF TENNESSEE**

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, all bills presented to the Governor on or after May 20, 1993, being in his possession within ten days (excepting Sundays) of receipt, his final action will be filed by him, with the Office of the Secretary of State.

Jimmy Naifeh, Speaker
House of Representatives

ATTEST
Burney T. Durham
Chief Clerk
House of Representatives

**BILLS AND RESOLUTIONS ENROLLED, SIGNED AND
TRANSMITTED TO THE GOVERNOR
SUBSEQUENT TO ADJOURNMENT**

Appendix of House Bills and Resolutions presented to the Speaker of the House of Representatives and the Speaker of the Senate for their signatures, and appendix of House Bills and Resolutions presented to the Governor with his action, as recorded by the Office of the Secretary of State.

**MESSAGE FROM THE SENATE
May 20, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 55, 176, 196, 288, 371, 393, 406, 670, 815, 1036 and 1125; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 20, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 175, 187, 192, 225, 226 and 227; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

May 20, 1993

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 144, 146, 191, 261, 263, 264, 299, 321 and 322, with his approval.

DAVID H. WELLES, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 20, 1993

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 305, 212, 238, 453, 486, 522, 541, 553, 590, 722, 926, 974, 1004, 1045, 1113, 1142, 1159, 1281, 1332, 1375, 1412, 1494, 1538, 1556, 1583, 1600, 1633, 1634, 1647, 1648, 1076, 1646, 1661, 1667, 1654, 1650 and 1668; also, House Joint Resolution(s) No(s). 214, 294, 295, 298, 300, 301, 302, 303, 304, 305, 306, 308, 310, 313, 314, 315, 316, 318, 319, 320, 333, 332, 331, 330, 329, 328, 327, 326, 325, 324, 323, 183 and 70; with his approval.

DAVID H. WELLES, Counsel to the Governor.

SIGNED

May 21, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 55, 176, 196, 288, 371, 393, 406, 670, 815, 1036 and 1125; also, Senate Joint Resolution(s) No(s). 175, 187, 192, 225, 226 and 227.

ENROLLED BILLS

May 21, 1993

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 15, 130, 210, 283, 290, 319, 326, 355, 362, 464, 491, 495, 680, 708, 792, 803, 835, 857, 869, 881, 902, 937, 953, 1020, 1070, 1128, 1143, 1207, 1254, 1271, 1314, 1323, 1362, 1367, 1407, 1433, 1446, 1500, 1505, 1532, 1537, 1658, 1662, 1664, 1666, 1669, 1671, 1672, 1674, 1675, 1676, 1677, 1678, 1679, 1680 and 1681.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

May 21, 1993

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 20, 37, 41, 44, 56, 61, 63, 82, 103, 109, 127,

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

145, 152, 156, 185, 193, 210, 253, 254, 258, 260, 312, 336, 337, 338, 339, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 355.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

May 21, 1993

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 116; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

May 21, 1993

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 296 and 297, with his approval.

DAVID H. WELLES, Counsel to the Governor.

SIGNED

May 24, 1993

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 20, 37, 41, 44, 56, 61, 63, 82, 103, 109, 127, 145, 152, 156, 185, 193, 210, 253, 254, 258, 260, 312, 336, 337, 338, 339, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 355.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 24, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 15, 130, 210, 283, 290, 319, 326, 355, 362, 464, 491, 495, 680, 708, 792, 803, 835, 857, 869, 881, 902, 937, 953, 1020, 1070, 1128, 1143, 1207, 1254, 1271, 1314, 1323, 1362, 1367, 1407, 1433, 1446, 1500, 1505, 1532, 1537, 1658, 1662, 1664, 1666, 1669, 1671, 1672, 1674, 1675, 1676, 1677, 1678, 1679, 1680 and 1681.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

SIGNED
May 24, 1993

The Speaker announced that he had signed the following: House Resolution(s) No(s). 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 116.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 27, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 15, 130, 210, 283, 290, 319, 326, 355, 362, 464, 491, 495, 680, 708, 792, 803, 835, 857, 869, 881, 902, 937, 953, 1020, 1070, 1128, 1143, 1207, 1254, 1271, 1314, 1323, 1362, 1367, 1407, 1433, 1446, 1500, 1505, 1532, 1537, 1658, 1662, 1664, 1666, 1669, 1671, 1672, 1674, 1675, 1676, 1677, 1678, 1679, 1680 and 1681; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
May 27, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 20, 37, 41, 44, 56, 61, 63, 82, 103, 109, 127, 145, 152, 156, 185, 193, 210, 253, 254, 258, 260, 312, 336, 337, 338, 339, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 355; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
May 27, 1993

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 15, 130, 210, 283, 290, 319, 326, 355, 362, 464, 491, 495, 680, 708, 792, 803, 835, 857, 869, 881, 902, 937, 953, 1020, 1070, 1128, 1143, 1207, 1254, 1271, 1314, 1323, 1362, 1367, 1407, 1433, 1446, 1500, 1505, 1532, 1537, 1658, 1662, 1664, 1666, 1669, 1671, 1672, 1674, 1675, 1676, 1677, 1678, 1679, 1680 and 1681.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK
May 27, 1993

The following bill(s) have been transmitted to the Governor for

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

his action: House Joint Resolution(s) No(s). 20, 37, 41, 44, 56, 61, 63, 82, 103, 109, 127, 145, 152, 156, 185, 193, 210, 253, 254, 258, 260, 312, 336, 337, 338, 339, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 355.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 27, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1277; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 27, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 4, 121, 155, 175, 222, 280, 432, 440, 495, 506, 582, 599, 601, 616, 685, 738, 981, 1112, 1122, 1298, 1390, 1406, 1575, 1616 and 1647; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 27, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 17, 125, 213, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254 and 255; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED
May 28, 1993**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1277.

**SIGNED
May 28, 1993**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 213.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

SIGNED

May 28, 1993

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 4, 121, 155, 175, 222, 280, 432, 440, 495, 506, 582, 599, 601, 616, 685, 738, 981, 1112, 1122, 1298, 1390, 1406, 1575, 1616 and 1647; also, Senate Joint Resolution(s) No(s). 17, 125, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254 and 255.

MESSAGE FROM THE GOVERNOR

May 31, 1993

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 15, 130, 210, 283, 290, 319, 326, 355, 362, 464, 491, 495, 680, 708, 792, 803, 835, 857, 869, 881, 902, 937, 953, 1020, 1070, 1128, 1143, 1207, 1254, 1271, 1314, 1323, 1362, 1367, 1407, 1433, 1446, 1500, 1505, 1532, 1537, 1658, 1662, 1664, 1666, 1669, 1671, 1672, 1674, 1675, 1676, 1677, 1678, 1679, 1680 and 1681, with his approval.

DAVID H. WELLES, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 31, 1993

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 20, 37, 41, 44, 56, 61, 63, 82, 103, 109, 127, 145, 152, 156, 185, 193, 210, 253, 254, 258, 260, 312, 336, 337, 338, 339, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 355; with his approval.

DAVID H. WELLES, Counsel to the Governor.

WEDNESDAY, MAY 19, 1993 -- FORTY-EIGHTH LEGISLATIVE DAY

APPENDIX OF SELECT COMMITTEE -- 1993

***Senate Joint Resolution No. 0017** -- Creates commission to study adoption laws.

Representatives Fowlkes and Williams (Shelby).

***Senate Joint Resolution No. 0053** -- Creates joint committee to study voter registration and absentee voting.

Representatives Anderson, Purcell and Ridgeway.

***Senate Joint Resolution No. 0125** -- Creates special joint committee to study practice of clearcutting on state forests and state wildlife management areas.

Representatives Bell and Cross.

***House Resolution No. 0016** -- Continues committee on earthquake preparedness. (HR 123 of 1990, HR 11 of 1991).

Representatives Brooks, Cole (Dyer), Crain, Haley, Hassell, R. Jones, Kent, Kernell and Pinion

***House Resolution No. 0028** -- Continues the Special Legislative Task Force on Adolescent Development (HRs 112 and 125 of 1986; HR 16 of 1987; HR 7 of 1989; HR 11 of 1991).

Representatives DeBerry, Duer, Halteman, Harwell, Knight, Peroulas Draper, Pruitt, Williams (Shelby).

***House Resolution No. 0058** -- Requests the select oversight committee on education to study the issue of the career ladder evaluation system relative to school superintendents.

Representatives Bragg, Davidson, Davis, Head, Owenby, Rhinehart, Tindell, Whitson, Winningham.

***House Joint Resolution No. 0020** -- Creates a special joint committee to examine the historical and present roles of African Americans in the development of public policy and planning relative to inner-city economic development.

Representatives Brooks, Brown, Chumney, Pruitt.

***House Joint Resolution No. 0037** -- Creates a special joint committee to study the affordability of housing in Tennessee.

Representatives Armstrong, Chiles, Turner (Shelby).

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***House Joint Resolution No. 0056 --** Creates a special joint committee to review the efficacy and the need for updating and revising Tennessee's consumer protection laws, and to examine the feasibility and need for enhancing the Division of Consumer Affairs' budgetary and enforcement resources.

Representatives Clark, Cole (Carter), Kisber.

***House Joint Resolution No. 0063 --** Continues the Select Joint Committee on Veterans' Affairs. (HR 89 & HJR 62 of 1979; HR 2 of 1981; HJR 105 of 1985; HJR 175 of 1987; and HJR 177 of 1989; & HJR 6 of 1991).

Representatives Bell, Bittle, Cole (Carter), Cross, Givens, Hillis, Turner (Hamilton).

***House Joint Resolution No. 0082 --** Creates a special joint committee to study coordination and cooperation among federal, state and local drug enforcement agencies.

Representatives Fisher, Kent, Love.

***House Joint Resolution No. 0102 --** Directs Fiscal Review Committee to study certain issues pertaining to exemptions and exclusions from sales and use tax.

Representatives Bragg, Coffey, Collier, Cross, Dixon, Haun, Head, Rhinehart, Shirley, Wood.

***House Joint Resolution No. 0103 --** Continues the special joint committee to study Tennessee's tax system. (HJR 174 of 1987; SJR 334 of 1988; SJR 75 of 1989; & SJR 70 of 1992.

Representatives Bragg, Haun, Kisber, R. Jones, Purcell, Turner (Hamilton), West.

***House Joint Resolution No. 0109 --** Creates a special joint committee to study alternative funding sources for non-game wildlife programs.

Representatives Bittle, Hillis.

***House Joint Resolution No. 0144 --** Creates special joint committee to study applied food service sanitation training and certification programs for food service managers and employees.

Representatives McDaniel, Odom, Peroulas Draper.

***House Joint Resolution No. 0145 --** Creates special joint committee to study provision of special education services for seriously emotionally disturbed children.

Representatives Davidson, Peroulas Draper, Turner (Hamilton).

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***House Joint Resolution No. 0185** -- Creates special joint committee to study the need for updating and making revisions to the Contractors Licensing Act.

Representatives Cole (Dyer), Head, Rinks.

***House Joint Resolution No. 0210** -- Creates special joint committee to study the forfeiture laws.

Representatives Buck, Hargrove, Whitson.

Public Chapter No. 188

***Senate Bill No. 1238** - Creates 1996 Bicentennial Commission. Amends TCA, Title 4.

Representatives Fowlkes, Hassell, Love, Pruitt, Speaker Naifeh.

Public Chapter No. 251

***Senate Bill No. 1356** -- Select Oversight Committee on Education. Adds two (2) at-large Members, one House, one Senate. Amends TCA 3-15-301.

Representative Davis.

Public Chapter No. 398

***House Bill No. 0590** -- Creates Special Review Committee to Study Uniform Commercial Code Article 2A, Leases. Amends TCA, Title 47, Chs. 1, 9.

Representatives Hargrove, Haun.

Public Chapter No. 479

House Bill No. 1362 -- Creates Advisory Board on Standards for Telecommunication Operators. Amends TCA, Title 7, Ch. 86, Pt. 1.

Representative Callicott.